METROPOLITAN LOS ANGELES

A Study in Integration

XV. Intergovernmental Relations

1ST TEST
WHOLE BOOK

Winston W. Crouch

THE HAYNES FOUNDATION
Los Angeles, California
1954

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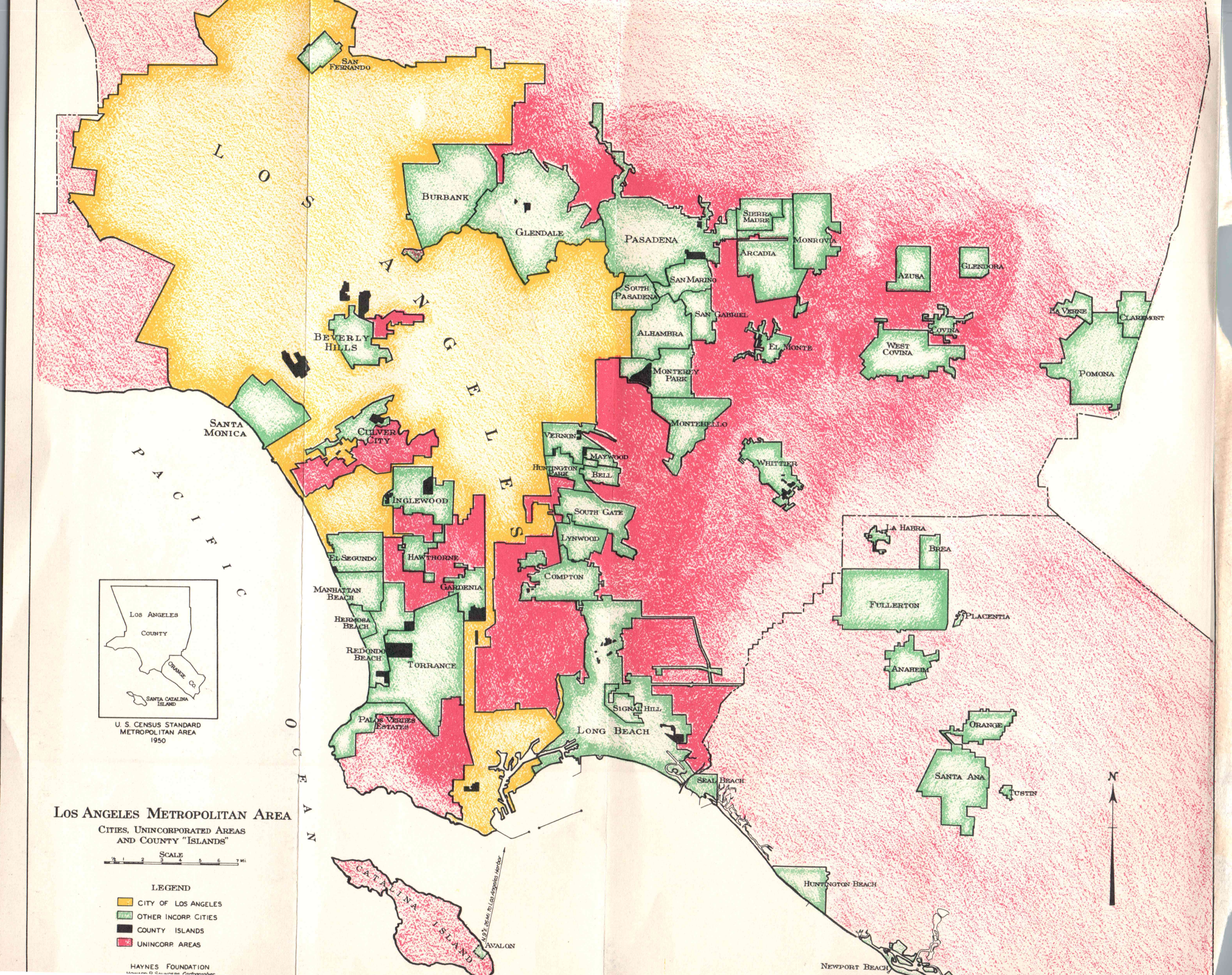

U. S. CENSUS STANDARD METROPOLITAN AREA 1950

LOS ANGELES METROPOLITAN AREA

CITIES, UNINCORPORATED AREAS AND COUNTY "ISLANDS"

SCALE

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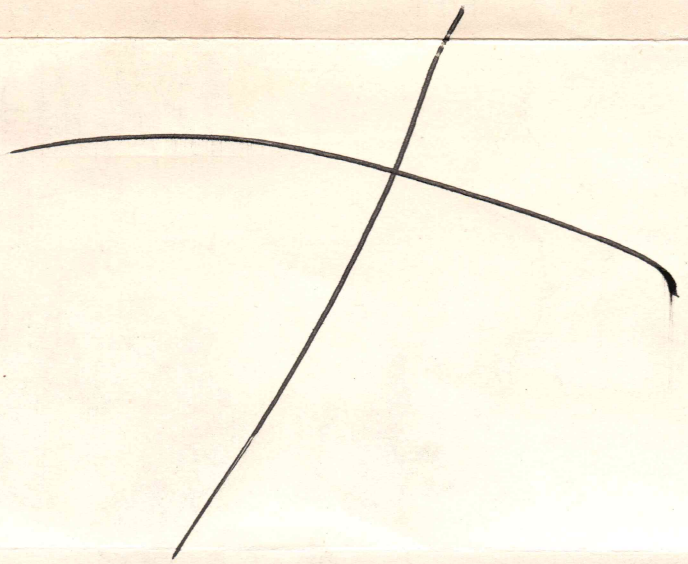
LEGEND

- CITY OF LOS ANGELES
- OTHER INCORP. CITIES
- COUNTY ISLANDS
- UNINCORP. AREAS

HAYNES FOUNDATION



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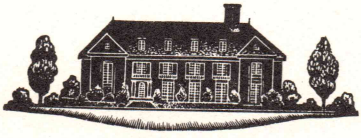

THE HAYNES FOUNDATION

Los Angeles, California

1954

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PREFACE

Intergovernmental relations, particularly those which involve the many governments that are to be found in a major metropolitan area, are numerous and exceedingly complex. The problem, both in general and as it relates to certain specific metropolitan areas, has been described and discussed in a number of publications that have appeared in recent years. Because there are many different approaches that may be made to the subject of intergovernmental relations, it is fitting that the author should set forth the pattern or formula that guided his treatment of the subject in this volume.

In the first place, this monograph is set within the framework of the series on metropolitan integration. It is concerned with examining, reporting upon, and analyzing the problem of intergovernmental relations at the several levels of government within the Los Angeles metropolitan area. Most of the previous volumes have dealt with the performance of single functions of government. In so far as it seems reasonable to do so, some proposals for change are put forth for consideration, without attempting to preview the recommendations that may be made in the final volume of the series. Some of the proposals make use of suggestions derived from the study of other metropolitan areas. On the other hand, no effort has been made in this volume to compare systematically intergovernmental relations in the Los Angeles area with those in Chicago, New York, Toronto, or London. Such an effort would call for a different type of study.

Co-operation between the governments in the area has received considerable attention in this monograph. Few of the governments have sought to operate in isolation. Although there has often been strong rivalry among the governments, the rivalry has often led to constructive efforts for the good of the metropolitan area as a whole. I have sought nevertheless to highlight the co-operation.

Not all the intergovernmental relationships that exist in this area have been discussed in this volume. Primarily the test that has been applied is: Does a particular intergovernmental relationship contribute (or has it contributed in the past) to the unification of the governmental pattern in the metropolitan area? A second test has been used almost as often: Has the relationship strengthened one of the governments as a contender in the struggle for leadership in the Los Angeles metropolitan region? Another test is: Has the relationship been fashioned and given a unique characteristic in this metropolitan region? Some very interesting intergovernmental relationships have been excluded from the study because they have played but a small role in the metropolitan unification process, or because basically their pattern of relationships was determined by state or national laws and they were part of a fairly common mold. Relations between the City of Los Angeles and the Housing Authority were excluded for each of these reasons. Similarly the urban redevelopment and civilian defense programs were excluded. The latter may yet have an integrating influence, although

in this area intergovernmental relationships that aid in preparing for disasters predate civilian defense organization by twenty years. The state-county relationship in social welfare administration was given brief space because the activity enhances the position of the county in this region, although advisedly it does not play a role in metropolitan integration.

The controversy between the county and the League of California Cities over the administration of services for the unincorporated fringe areas of the county has been given only very brief mention here. It has been thought more appropriate to reserve that topic for discussion in the concluding volume of the series if the author so desires. It is an interesting example of a rivalry that has often thwarted efforts to achieve integration.

The relationships involving school districts have been almost, but not quite, eliminated from this volume. Volume XII of this series dealt with the school districts. Therefore, schools are discussed in this book only where an important administrative understanding involving co-peration with the cities or the county government has been involved.

There are many problems that involve a type of intergovernmental relationship or an intergovernmental impact upon an area. Such is the impact of the federal government and its relations with aircraft plants, shipyards, and similar defense establishments upon the local governments and the economy of a metropolitan area. This volume has been kept to a study of strictly defined intergovernmental relationships, many of which involve agreements, contracts, memoranda of understanding, or similar more or less formal governmental actions.

Any study of a complex area of local government that attempts to present broad conclusions and to speak of trends in development must be based upon a number of specialized monographs that have brought to light the details of data and plumbed the original sources that are to be found in official records and statistics. This volume has been made possible in large part by the work of research staffs attached to official and semi-official commissions and those of the Haynes Foundation and the Bureau of Governmental Research at the University of California, Los Angeles. In 1939 the Bureau began its "Studies in Local Government," a series devoted chiefly to analyses of intergovernmental co-operation and functional consolidation in the Los Angeles metropolitan region. This series was inspired, in part, by the findings of the Committee on Governmental Simplification which was appointed by the County Board of Supervisors in 1935. The Haynes Foundation series on "Metropolitan Integration" incorporated many of the Bureau studies and added others prepared specially for it.

Most of the previous studies had been concerned with the description and analysis of the various co-operative relationships that had grown up between the County of Los Angeles and the numerous cities within that portion of the county borders that lie within the metropolitan area. This volume has drawn heavily upon those publications to support the chapters on city-county relations and intercity relations.

Relatively few of the previous studies have dealt with federal-local and state-local relations. Therefore, material for those chapters has been drawn more from original and primary sources. Those chapters bring new material to the series on metropolitan integration. For much of the information on the intergovernmental relations involving flood control in the area I wish to acknowledge the assistance of Dr. Richard Bigger of San Diego State College. Much help was drawn from his manuscript on that subject.

The story of the role of extraterritorial powers of the cities is based on an article that I published in The American Political Science Review in 1938. It has been completely revised to bring it up to date and to relate it to the general problem discussed in this volume.

"Intergovernmental Relations" would necessarily have been included in any balanced series of publications concerning the Los Angeles metropolitan area, because the relationships have been numerous and significant here. The volume grew, however, out of a survey of the intergovernmental relations of the City of Los Angeles prepared by the Bureau of Governmental Research for the Commission for Reorganization of the Los Angeles City Government in 1950. That survey provided the basis for discussion by the Task Force on Intergovernmental Relations appointed by the Commission. At the close of those deliberations the late Edwin A. Cottrell, who directed the "Metropolitan Integration" series, invited Mr. Richard Baisden and me to prepare a report which would cover a broader phase of the subject than the survey had done. Both had served on the Task Force. Mr. Baisden had devoted much time and energy to the work of the group while on leave from Occidental College. We began the collaboration, but before the product took shape Mr. Baisden found that his current employment did not permit him time to devote to the project. I therefore stand responsible alone for the product. I wish to acknowledge all the assistance, direct and indirect, that I have received from the ones who have contributed to this publication.

Miss Joyce Cunningham and Mr. Ellis McCune gathered much of the data that was used in the survey for the Commission on Reorganization. Miss Judith Norvell Jamison, of the Bureau of Governmental Research, read several chapters and gave very helpful criticism. Dean Henry Reining of the School of Government, University of Southern California, and Professor Samuel C. May, Director of the Bureau of Public Administration, University of California, Berkeley, read the entire manuscript and gave very constructive suggestions.

My own association with the subject matter of this volume extends over a period that is longer than I care to realize. My Master's thesis at Pomona College twenty-four years ago dealt with "Relationships Between the City and County of Los Angeles." Twenty-one years ago my doctoral dissertation on "State Aid to Local Government in California" was accepted by the University of California, Berkeley. Reminiscences remind me at least that I have been dealing with a dynamic subject. There is work yet to be done!

Winston W. Crouch

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I. STATE-LOCAL RELATIONS

Cities and counties are the legal creatures of the state. Although the City of Los Angeles came into being as an organized unit under Spanish rule and continued so under the Mexican regime and therefore is older than the State of California, it owes its legal existence under American law largely to the act of the Legislature in 1850, which recognized it as a municipality. The other cities in this area are of more recent origin. Los Angeles County was created by legislative act in 1850.

The General Problem

State-local relations play an important part in the conduct of government generally throughout the state and in the affairs of a metropolitan area. Nevertheless, the role of the state in the metropolitan area has been minimized by the existence of a very strong tradition of local government. The tradition is as vigorous in California as in any other American state. The state has been looked to as the fountainhead of legal authority, but the cities, and to a lesser extent the counties throughout the state, have insisted upon being permitted a broad measure of freedom in coping with problems that arise within the locality. This situation has arisen partly from a desire for the local units to experiment with governmental forms and procedures without being forced to accept a state-wide uniform pattern. The size and geographic divisions of the state have also encouraged localism. Furthermore, a constant inflow of population has produced a demand for constant re-examination of government at the local level.

Basis of City-State Relations

Cities and counties alike must receive from the state the basic grants of authority to perform their functions. They must obtain these grants either through the vehicle of the state constitution or through statutes. Legislative meddling in the affairs of individual cities was prohibited by the second state constitution (1879). Legislation for cities and for counties must be uniform in application, although the courts have approved the legislative device of classifying units so that only one, or a few, may fall within a class. Classification of cities is no longer significant in this state, however. Any city having at least 3,500 population may adopt a charter for itself. Los Angeles falls within the classification of a city of the 1-1/2 class: nevertheless, very little legislation pertains to that category. Los Angeles and fourteen other cities within the county have adopted freeholder charters which permit considerable individual experimentation and adaptation to local conditions. The thirty-two nonchartered cities in Los Angeles County all fall within the group known as sixth-class cities and are governed by general laws pertaining to that class. Laws pertaining to sixth-class cities permit a choice of options in respect to a number of matters; hence, the rigidity of general law has been modified.

The California Constitution frees the chartered cities from a large amount of possible state interference. It directs that in those matters which are "municipal affairs" the city charter shall prevail even though that document may appear to be in conflict with the law of the state. This freedom has been aided materially by the attitude of the courts whereby they have ruled that a large number of matters are municipal affairs. Speaking very broadly, the chartered cities have developed to resemble urban republics that have a wide range of authority to grapple with their local problems in their own ways, free from many leading strings and central government directives.

If this generalization were true in the extreme sense, however, there would be no basis for a chapter on state-local relations. While the cities were gaining freedom in the legal sphere, various other types of relationships were developing between the state and its cities. These relationships may be characterized in large part as administrative. As the state and the cities have developed bureaucracies, necessarily the two groups developed some relationships. Some of this was directed by the legislation under which they operated. Some was the result of attempts by state and local officials to come to an understanding as to how they might accomplish their tasks more effectively. When the state began to build highways and to extend them through a city, some relationship had to be established between the State Highway Commission and the Division of Highways on the one hand and the city engineer and the mayor and city council on the other. Likewise, the state's Director of Public Health had to seek a relationship with the city's health officer if the state health laws were to be enforced.

A classification of state-city administrative relations might well include the following:

1. Relations resulting from performance of state functions or location of state property and facilities within the boundaries of a city.

2. Relations resulting from the delegation of a function from a state administrative department to a city department, subject to the acceptance of state policies and directives. An example of this is the designation of the Los Angeles Health Department by the California Department of Agriculture to inspect dairies which are located outside the city limits but which supply milk to city consumers.

3. Relations resulting from contracts negotiated between a state department and a city for the performance by the city of a task on behalf of the state. Usually such contracts are entered into to give the city administrative responsibility for conducting a program within its borders after the state has assisted in bringing the project into being. Examples include contracts for a city to maintain a section of state highway within the city after the state has financed the original construction. Another example is the contract for the City of Los Angeles to operate and maintain state-owned beaches within the city borders.

4. Relations resulting from state inspection of local performance and enforcement of state-established standards which are designed to protect the health or welfare of the entire state. An example is the enforcement of state water pollution prevention rules and policies upon city sanitation departments.

5. Relations resulting from grants of state money to encourage or aid certain municipally performed functions. This is illustrated by the state grants for local public health administration.

6. Relations resulting from the administrative enforcement of detailed legislative restrictions placed upon the expenditure by cities of funds collected by the state and shared with the local governments. The outstanding example of this is the administration of the state-collected locally-shared taxes upon gasoline. Legislation sets forth detailed controls upon local expenditures of the funds. Local governments are required to make specific reports to the state Division of Highways. The Division also is authorized to establish standards and policies which will govern the operation of contracts that it may negotiate with cities to maintain highways financed with gasoline tax funds.

7. Relations resulting from the grant of state lands or money to the cities for a designated public purpose. A most important example of this is the grant of tidelands and submerged lands to several coastal cities for the development of harbors that would be devoted to commercial and fishing purposes and which would be operated as municipally owned facilities.

Basis of County-State Relations

Relationships between the counties and the state are built upon a somewhat different base than those involving the cities. In the first place, the county was created to serve the purposes of the state. Traditionally the county has been called upon to perform the functions that the state might have performed through its own bureaucracy but which for convenience and ease of administration were assigned to local government. County boundaries and county functions can be changed by the state more readily than can those belonging to the cities.

When the voters of California adopted an amendment to the state constitution in 1911 that permitted counties to enact county charters, an element of county self-government was introduced in California. This was the first state to undertake this policy. In 1913 another constitutional amendment authorized the counties to depart still further from the traditional pattern. This authorized them to undertake functions that had been previously reserved to the cities. In spite of these two legal developments, however, the counties continue to play a different role than cities and to come more closely under state supervision. Counties may legally be required to perform certain activities because it is in the interest of the

state at large to have them provided, but by locally elected governments for geographical units rather than by the central state government. Realistically, however, to require a county to undertake a service does not guarantee that the service will be performed at a standard that is desired. The state has entered into a number of legal and administrative relationships with the counties in an effort to assure the performance of certain functions at standards that are deemed proper for the state as a whole. Examples of such programs would include the state subsidy to county tuberculosis hospitals, and state aid for the aged, orphans, and the blind. To assure state standards the Legislature has allocated funds to the counties for these programs, subject to the acceptance by the local units of certain administrative policies and procedures. California operated a grant-in-aid program for the aged, orphans, and blind more than five years prior to the entrance of the federal government into these fields of social welfare, which now involve local-state-federal relations.

Relations between the County of Los Angeles and the state differ in certain respects from the relations between most of the other counties and the state. Policies laid down by statute apply to Los Angeles in much the same manner as they do to Modoc or Inyo. In practical administrative relations, however, a distinction arises from the fact that Los Angeles is much the largest county in the state, measured in terms of numbers of residents, size of the county budget, and size of the county bureaucracy. Los Angeles had not required the prodding or inducing by the state to undertake functions to the same degree that may have been necessary in the case of small rural counties. Furthermore, this county has developed an administrative program that is as modern, sophisticated, and efficient in its methods as any devised by the state. Although this county shares in state financial assistance to the counties for state-wide interest programs, it is not likely to need the same supervision nor is it likely to be as amenable to state directions as are the smaller counties.

In yet another respect Los Angeles County presents a somewhat unusual situation in state-local relations. By reason of its size and wealth this county has often shown great local initiative in undertaking new governmental activities with state legislative permission. In several instances the state government has undertaken to perform similar functions for the state at large a few years after Los Angeles pioneered at the local level. Because Los Angeles County was already performing the function locally and was entrenched in its position, the Legislature and the state administrative department that was involved found it desirable not to substitute state administration for local performance in this county. This situation has caused the development of additional state-county relationships wherein the state grants financial aid to the county, subject to certain stipulations, and permits the county to continue performing the work. This has produced a number of administrative relations between the appropriate state administrators and their opposites within the county. Examples of the functions referred to include forest fire and watershed protection, milk inspection, flood control, and water conservation.

State Review of Local Government

Historically the relationship between the state and its cities and counties was based upon constitutional and statute law. By those means the state gave its local governments certain directions or it gave permission for local enterprise to be undertaken within the framework of state policy.

There is no one administrative department of the state government that is charged with performing general supervision over or giving advice to either county or city governments. There is nothing in California government to compare with the Department of Municipal Affairs that is to be found in the State of New Jersey or in most Canadian provinces. Nor is there any agency that may be compared with the Ministry of Housing and Local Government in England. There is no one officer or agency within the state government responsible for advising the governor on local governmental problems or for formulating a legislative program on local government on behalf of the state executive. The governor receives advice directly from local leaders. The leadership in working out a legislative program for local government has been assumed by such extralegal bodies as the League of California Cities. the County Supervisors Association, the California Conference of Social Work, the League of Women Voters, Chambers of Commerce, the Parent Teachers Association, and other similar groups.

Relationships between state administrative officers and city and county administrators represent a fairly recent development. These relationships have developed within one functional program at a time; therefore the type of relationship and the methods for carrying on the relations have varied from one program to another. In some fields of governmental activity there is almost no relationship between state and county or city officers.

Local Reports. —One type of relationship which California has developed with its local governments and which it might develop still further without interfering substantially with the tradition of home rule involves requiring the cities and counties to report certain facts about their operations to state officers in accordance with definitions promulgated by those officers. The objectives of such reports should be to inform the citizenry and the Legislature as to the status of local government and to direct attention to problems that require legislative action. Before such reports can be useful however, particularly if they are of a statistical nature, there must be a reasonable amount of standardization of the data to be reported. Health statistics, for example, first require standardized definitions of diseases to be reported. Reporting methods and dates likewise requires standardization.

California does require a number of reports from its cities and counties. For example, since 1911 all cities and counties have been required by state statute to report their revenues and expenditures for each fiscal year to the State Controller. The data are reported in accordance with definitions laid down by the Controller and on forms prescribed by that officer. Local health officers report the incidence of diseases, births, and deaths to the State Department of Health. All cities and counties must

report to the Division of Highways all expenditures of gasoline tax money received in accordance with the state highway revenue laws. Each county welfare department must report data required by state and federal welfare authorities concerning aid to the aged, orphans, and blind. Every county and each city that assesses property for local taxation purposes must report its data to the State Board of Equalization. It cannot be said, however, that the state government or any of its departments uses these reports or the data contained in them to force the local governments in any metropolitan area to consider the over-all problems of the area. The purpose behind the requirement of each set of reports is to aid in the enforcement of a state-wide policy or interest. No executive or administrative agency of the state has concerned itself directly with the problems of metropolitan government.

Adjudicating Between Local Interests?—In a complex metropolitan area such as Los Angeles there may be a logical role for a state administrative agency which would have authority to mediate and adjust certain relations between the numerous local governments that operate therein. For example, competition often arises between two cities to annex a neighborhood or a parcel of property. Sometimes this competition divides school districts and other special governmental agencies that have been organized to serve the area. In the struggle small parcels are often annexed, a piece at a time, by one or another of the cities in an effort to outrace its rivals for dominance in the disputed area. At present such frictions must be carried to the law courts where they are dealt with in accordance with the principles of case law. Economic, social, and administrative factors, however, are often the most important elements in the problem. Such factors as business trends, population growth, planning of utility services, and determination of tax resources can best be studied by administrative bodies. Solutions to the type of problem discussed here require study of economic and social data and necessitate adjustment of numerous competing views. The litigious approach involved in case law is not the most suitable method for dealing with these problems.

A similar problem is involved in the efforts to incorporate a community in the fringe suburban area as a city. Often an adjacent city is trying to entice the community to annex to it. There are several examples in this metropolitan area wherein efforts to incorporate a community have been frustrated by the filing of annexation petitions for the reason that so long as annexation proceedings are pending on any part of a community that is considering incorporation, the proposed city boundaries are uncertain and the incorporation cannot be voted upon. Similar efforts have also been used to frustrate moves to organize municipal water districts and other similar service enterprises to serve unincorporated areas. The county government also has an interest in the outcome of the incorporation proceedings. It provides services to the unincorporated areas, both by direct county administration and by county-supervised special districts. It is also the agency that is responsible for surveying the boundaries of the

proposed city and determining if the procedures and specifications laid down in state statutes to control incorporation of cities have been met. As a result of exercising these responsibilities the county government becomes an interested party in disputes of this nature.

In the types of situations in a metropolitan area that have been discussed here, it would appear evident that the state has a responsibility which cannot be carried out satisfactorily solely by legislative prescriptions which are interpreted by the law courts. Inasmuch as the state represents a broader constituency than either a city, the county, or the particular community involved, it should be the best agency to mediate and adjust disputes between local interests. At present the county board of supervisors has certain responsibilities in these matters, acting as agent of the state in accordance with detailed statutory law. When the board's determination is disputed or it is alleged that the law has not been followed to the letter, a taxpayer may resort to the law courts which, again, act in the name of the state. A state-appointed administrative board might be more effective in determining these local governmental disputes, providing of course it were empowered to take into consideration economic, social, and administrative factors in arriving at its decisions. It could be placed in a strong position to determine whether an area proposed for incorporation had appropriate taxable resources to support city government, or whether existing economic and social development indicated that the area would be served more appropriately by annexing to an adjacent organized city. At present, under existing law and procedures, these matters are determined more by political maneuver than by a process that might cause careful consideration to be given to all pertinent facts before a conclusion is reached. Surveys and statistical data are flourished by the competing parties in an effort to persuade voters of the wisdom of the move proposed by the particular group. There is no institution that is sufficiently detached from the maneuvering elements, and has the authority to call for data pertinent to all factors in the particular case, that can weigh the proposals and either make an adjustment or inform the voters who may be called upon to make a policy judgment.

Thus far the weight of local history and the tradition of home rule in local government have prevented the state from assuming any part of this responsibility. Occasionally the governor of the state may enter the metropolitan scene to attempt to bring parties together on some issue, such as water supply or air pollution control, that divides the local leaders. Occasionally a state administrative officer, such as the State Health Officer, the State Water Engineer, or the Attorney General, may enter a local intergovernmental problem. Since 1952, the Legislature has undertaken, by means of interim committees, to study the problems in the metropolitan areas and to mediate between contending local groups. This may well be a significant development if the legislative leadership can be provided consistently and energetically. But there has been no formal, continuous effort to mediate or lead in a solution of basic intergovernmental problems

within the metropolitan area. The relationships that have developed thus far have been fragmentary and have been involved with single functional programs.

We now turn to an examination of state-local relations in specific administrative fields.

Fire Administration

Although a State Board of Forestry was created in 1885, state forest administration and state fire protection service was slow in developing. The first State Forester was appointed in 1905, a few months after the U. S. Forest Service was created.[1] However, it was not until 1919 that the state Legislature appropriated funds for the State Forester to employ a fire-fighting organization. The first appropriation was for $25,000. The Legislature also authorized the Forester to enter into agreements with representatives of the federal government, and with counties, municipalities, and individuals for fire protection work.

Federal aid to states for forestry was inaugurated by the Weeks Act in 1911 which provided for federal money to be paid those states that had state forest administration supported by state funds specifically appropriated for that work. California did not qualify under this act until 1919. The first federal aid to this state amounted to $3,500.[2]

Adoption of the Clarke-McNary Act by Congress in 1924 extended the federal aid system to fire control as well as forestry. This law provided for assistance to the states in studying their fire control problems, and for co-operative expenditures in financing the fire control organization for protection of timber and cutover lands.[3] California's original grant under this act was $30,000. In 1925, the federal law was amended to extend federal co-operation to protection of watersheds from which water was secured for domestic and irrigation uses.[4]

Los Angeles County has come to share in state and federal forest and fire control money by reason of the fact that the county developed a mountain fire control program almost simultaneously with the development of the state and federal systems, and expenditure policies have been worked out to justify a sharing of the costs. On May 28, 1906, the Los Angeles County Board of Supervisors appointed a County Fire Warden and combined the office with that of Fish and Game Warden, an office that had been in existence since 1899. The State Forester designated the County Fire Warden as a State District Fire Warden and authorized the county officer to act as the local agent of the state office. When the county adopted a home rule charter in 1912, the office of County Fire Warden became an appointive one with duties specified in the charter. An official history of the program summarizes developments as follows:

> By the year 1923, the functional duties with which the Department was charged were many and extremely diversified. The principal objectives were Fire Prevention and Suppression in

> unincorporated territory exclusive of National Forest areas, the formation and supervision of County Fire Protection Districts, reforestation of denuded mountainous areas, the development and maintenance of County Parks, Parkways and Roadside plantings, and the protection of Fish and Game resources of the entire county . . . Also the assumption of duties laid down in laws, orders and rules adopted by the State and Federal Governments, broadened the scope of the work of the Department and extended its service as a cooperative agency. To adequately cover its cooperative responsibilities the Department entered into agreements with the National Forests lying within the County boundaries, adjacent counties, various cities within the county, and several protective associations. [5]

Because Los Angeles County undertook a county forest fire control system early and because the state forestry program was severely limited in funds for many years, the state did not attempt to set up a state-administered forestry and fire control program in this county. Other counties throughout the state that have developed county programs more or less independent of the state include Contra Costa, Kern, Marin, San Mateo, Santa Barbara, and Ventura. These counties came to share in the federal Clarke-McNary Act money as co-operating fire control agencies. Allocation of the funds to the counties has been handled by the State Division of Forestry, however. Also as the state government undertook a state-wide plan of forestry, the Legislature has been prevailed upon to include funds in the budget for the Division of Forestry to be allocated to the counties that have forestry and fire control programs.

The state forestry administration was riven by political feuds for many years during the formative period; therefore, the program was often halting and often changed direction. The counties complained bitterly for many years that they did not receive a just share of the Clarke-McNary money from the state.

Early in 1945, meetings between county, state, and federal forestry officials produced a more satisfactory policy for determining the allocation of state and federal funds to Los Angeles County. The federal officials agreed that the state might include in its budget request to the National Forest Service for Clarke-McNary money a sum for watershed protection in Los Angeles County estimated at the rate of 63.5 cents per acre of approved lands, provided that the elements making up that cost figure were consistent with the comprehensive state-wide fire protection plan. The State Board of Forestry adopted a policy that all Clarke-McNary money allocated to counties that were operating their own programs should be based on the same method as the federal government applied in allocating its funds to the states. At that time it was also agreed that the state's interest in fire protection in Los Angeles County would be confined to supporting the protection of lands that qualified also under the Clarke-McNary Act. As an interim measure it was agreed that a survey should be made to deter-

mine which lands in Los Angeles County should qualify for state and federal aid, and that a survey be made of the fire protection costs for those lands. Until the surveys could be completed, the state allocation to Los Angeles County was increased by a fixed amount. This administrative agreement was altered, however, by action of the 1945 session of the state Legislature in limiting the amounts of Clarke-McNary money that could be distributed to the counties operating their own fire programs. This action was somewhat offset by the Legislature's increase in state funds for allocation to the counties. [6]

In 1946 the state agreed to include for state fund allocation purposes lands in Los Angeles County that were in addition to the lands that could qualify for federal Clarke-McNary grants. Funds for both purposes were to be budgeted as an item in the annual session. The sum approved by the Legislature is a lump sum, unallocated in the budget bill to individual counties. The allocation to the counties is made in accordance with agreements worked out between the Division of Forestry and the counties under authority of the Public Resources Code (Secs. 4006 and 4050).

TABLE I. — ALLOCATION OF STATE AND FEDERAL FORESTRY FUNDS TO LOS ANGELES COUNTY

Fiscal Year	State Funds	Federal Funds	Total
1936-37	$ 7,048	$22,480	$ 29,528
1937-38	7,255	20,000	27,255
1938-39	6,946	21,588	28,534
1939-40	20,230	17,819	38,049
1940-41	18,656	15,217	33,873
1941-42	15,279	17,633	32,912
1942-43	15,363	21,679	37,042
1943-44	33,000	17,894	50,894
1944-45	33,000	45,970	78,970
1945-46	103,000	78,123	181,123
1946-47	103,000	78,123	181,123
1947-48	(not segregated)		133,819
1948-49	(not segregated)		191,667
1949-50	(not segregated)		183,929
1950-51	(not segregated)		187,853
1951-52	(not segregated)		189,527

Source: Los Angeles County, Department of Forester and Fire Warden, Annual Reports

Health

Tuberculosis Sanitariums

Tuberculosis was one of the first diseases to be singled out for a campaign of public health by the State of California. In 1904 a proposal was

made that the state undertake tuberculosis hospitals as a state charge. That proposal was defeated, but study and agitation continued. In 1907 a state law was adopted requiring the reporting of tuberculosis cases and directing that the State Department of Health ensure that hospital treatment was secured for all cases. The cost was to be borne by the counties when the patient was unable to finance care. In 1913 a Bureau of Tuberculosis was created in the Department of Health to inspect county work and to promote care of patients. This was followed in 1915 by adoption of a statute that provided state aid to county or other local hospitals that could qualify. This plan was adopted partly because it was felt that the program was too expensive for the state to undertake and finance completely. Some of the larger counties, such as Los Angeles, already had established separate tuberculosis hospitals and were reluctant to give them up to the state.[7]

Los Angeles County was the first to qualify its hospital for state assistance, it having been declared eligible for subsidy on February 5, 1916. A county hospital had to meet certain standards prescribed by the Division of Tuberculosis, which included the following. There had to be a separate tuberculosis hospital, operated apart from the county hospital. Its floor space, equipment, and facilities had to come up to the state-approved standard of adequacy. Patients were required to fill out forms requested by the state. Segregation of adult and juvenile patients was required, and the ratio of medical, nursing, and orderly staff to number of patients was set by the state. Every subsidized hospital was to be inspected by representatives of the Division of Tuberculosis.

The standards maintained by Los Angeles County were equal to or superior to those established by the state, so this county had no problem in qualifying for the state subsidy. Whatever friction has arisen between the county and the state on this subsidy administration over the years has arisen chiefly because of the details required, or because of the resistance of county administration to state supervision. In general the state's efforts have been devoted to encouraging and pushing counties that were less well-to-do or less energetic in meeting modern standards.

The amount of the tuberculosis subsidy has been changed by legislation several times. In each instance the subsidy has been based upon the number of eligible patients cared for at public expense per day. The patients must be unable to pay or have no relatives able to pay for their care. The state subsidizes each county that operates an approved hospital at the rate of $2.60 per day for each patient, for the first 36,500 units of patient-day care provided during the year. If the number cared for exceeds 36,500 the state pays $2.30 per day for all patients above the first figure. If the number exceeds 73,000 patient days, the state pays $1.75 per patient day.

Los Angeles County has maintained for many years a separate tuberculosis hospital, "Olive View," located in the foothills near the City of San Fernando. During 1948 it took over the site and temporary buildings of an Army hospital near Long Beach and has operated the plant as a second tuberculosis unit to serve the southern area of the county.

LA County operates 2 TB Hospitals.

STATE ENFORCEMENT: PERMIT & PENAL CODE

Sanitation and Water Pollution

State legislation that was adopted in 1907 established a pattern of state-local relations in sanitation administration. Responsibility for constructing, maintaining, and operating sanitary sewers and sewage treatment facilities was recognized as a responsibility of local governments. City governments had been authorized to perform those functions, and a number of statutes had created special districts to provide the same services in suburban areas. The State Board of Health was given authority to supervise and license local projects in the interest of the state's protection of the public health. Persons, municipalities, counties, and districts were prohibited from discharging sewage into a stream, river, lake, or into the underground water resources of the state without obtaining a permit from the State Board of Health. Discharge into the ocean or other salt waters bordering the state was placed under the same supervision. Before it could issue a permit, the Board was required to hold a public hearing and conduct a thorough investigation of the proposed project. If the board found that the proposed discharge of sewage into the water system was necessary and that it would not endanger the lives of humans or animals and would not constitute a nuisance, it was authorized to issue the permit. If such a finding could not be made, the Board was directed to reject the request for a permit. A conditional grant of a permit was authorized, subject to such requirements as the Board found necessary to ensure protection of health. Proposed extensions or alterations to a sewage system that discharged its effluent into the waters of the state were subject to the same procedures as were specified for new projects.

Enforcement of this state permit method was by two methods. If the Board discovered that a sewer system that had been licensed was discharging effluent that contaminated the water or adjacent land to an extent that endangered the health or lives of persons or animals or to an extent that created a nuisance, it could suspend or revoke the permit. Anticipating that revocation of a license might not be sufficient to produce corrective actions that would eliminate the health danger or the nuisance, the Legislature sought to establish sanctions of penal law. The law declared that discharge of sewage into the state's waters without a permit constituted an offense, and that each day that a violation occurred constituted a separate offense. Punishment was to be by fine of not more than $1,000 or by imprisonment for one year. The law, however, was not at all clear as to which bodies or offices were responsible for initiating action to enforce these sanctions. Neither was it clear as to whether the proof which would be necessary to warrant the administrative action of revoking a permit would be as extensive as that required to establish a court case to invoke criminal penalties.

Enforcement in Los Angeles. —In the Los Angeles metropolitan area the permit features of the state-local relationship were observed. In 1908 the City of Los Angeles completed an outfall sewer to Hyperion, located on Santa Monica Bay, and received a permit to discharge sewage into the ocean.

Several other cities, including the Tri-Cities group which was composed of Pasadena, South Pasadena and Alhambra, received permits to operate sewer farms under conditions designed to protect the underground water resources. In 1928 the County Sanitation Districts system undertook to construct a treatment plant in the Los Angeles harbor area and an ocean outfall line at White's Point. This project was also given a permit. The City of Long Beach operated an ocean outfall of its own until it joined the County Sanitation Districts system. Los Angeles City constructed a second plant and ocean outlet to serve that city's harbor area.

Enforcement of State Board of Health decisions which directed changes in local systems encountered some difficulties early in the history of the state-local program. In 1915 the cities along Santa Monica Bay objected to the Los Angeles City outfall at Hyperion and contended that the discharge of sewage there created a nuisance. The Board ordered certain changes to abate the condition, and some corrections were made. The dispute flared up again two years later and the Board threatened to invoke penalties. The city's voters refused to approve bond issues that the city administration had proposed to finance the corrective measures, and the state-local dispute dragged on for four years. Growth of population in the area served by the sewer had been so great that overflow facilities had to be improvised. The city sought a permit to discharge chlorinated sewage into Ballona Creek but the state refused. For a short period the city proceeded regardless of state permission and the neighboring cities of Culver City and Venice obtained an injunction against this in the local courts. In 1922 Los Angeles' voters approved a bond issue for improvement of the sewer system and ocean outfall, and in 1923 the State Board issued a permit for the latter project. For the next fifteen years no incident arose.

Beginning in 1909 the City of Los Angeles entered into a series of contracts with other cities to permit adjoining communities to hook onto the Los Angeles sewage system (see pp. 108-109). By 1940 the Los Angeles system was a major metropolitan one. Growth of population and industry in the member cities had produced needs for a greatly enlarged system, and obsolescense of the outfall lines had caused breaks in the existing lines. Complaints of beach pollution along the Santa Monica Bay recreation beaches caused a stir of political excitement. In 1940 the State Board of Health suspended the permit for the Los Angeles outfall line at Hyperion and later revoked it entirely after conducting tests and finding that pollution of the beaches and waters off them existed to an extent that constituted both a danger to health and a nuisance. Several beaches were quarantined in 1943 and public use of them was prohibited. There was disagreement within the city as to the choice of methods that should be used to alleviate the sewage problem and to finance any project. The voters declined to approve a bond issue and rejected a charter amendment which would have permitted a sewer connection tax. Planning was further interrupted by the war.

In December 1943, the State Board of Public Health, in company with the State Fish and Game Commission and the State Park Commission, re-

quested the Attorney General to commence court proceedings against the City of Los Angeles and the other cities that had contracts to use that city's system. The action sought to force the cities to take corrective action, which admittedly the Board was powerless to order through its own administrative processes. The city undertook engineering studies and sought to arrive at an acceptable plan. The court case was not brought to trial until November 1945. It was completed in January 1946, and an order was signed in Superior Court directing Los Angeles to proceed in accordance with the engineering plan that the local Board of Public Works had produced. The other cities were ordered to choose between establishing their own separate systems or contributing financially to the Los Angeles project. Each city was given a period of time in which to take definite action. If no action were taken, city officials were threatened with contempt of court proceedings. The cities of Vernon and Culver City declined to act, alleging that contracts they had made with Los Angeles gave them perpetual use of the Los Angeles system without further financial responsibility on their part. Their councils were judged in contempt of court, but intercity agreements were worked out after the cities had exhausted their legal remedies and lost the case. Contempt proceedings were quashed in 1953.

The City of Los Angeles, assisted by the other contracting cities, proceeded with the project. The Legislature was meeting in special session to consider postwar reconstruction and re-employment matters at the time the Los Angeles sanitation case decision was handed down. One of the major subjects of the session was the granting of state assistance to municipalities to finance public works projects. An unusually large local public works program was thought to be necessary because of population increases in the state and because normal construction had been delayed by the war. Each of the cities involved in the Los Angeles case was given a state grant and authorized to devote it to sewer projects which it might undertake alone or in company with other cities. Each city was required to match the state funds from its local sources. The new Los Angeles project was completed late in 1951.

Water Pollution Law Developed. —In 1949 the Legislature substituted a completely new statute concerning water pollution for those adopted earlier. This change was influenced by many factors. For one thing it was recognized that the pollution of beaches, streams, and underground water resources by sewage could not be prevented by the permit method. For another, it was accepted that the problem of water pollution involved more than sewage control. There was a division of opinion also as to how much the problem was one of public health, in the established sense of the term, and how much it was a problem that could be handled best by a combination of engineering and law enforcement skills. Over a period of years there had also been an extensive discussion of state administrative procedures. As a result of this study many state administrative law procedures were made more formal, with the result that they came more nearly to parallel judicial procedures.

The discussions arising from that reform were still fresh in the minds of many persons. Local governments throughout the state also were very concerned about the proposed water pollution legislation lest the state develop a water pollution law that would be enforced by a central agency. Local governments clearly constituted one element in the state's society that would be regulated by this new law and its enforcement agent. The result of this complex of influences and concepts was a state statute that was to be enforced by a number of regional water pollution boards which would be appointed by the governor and which would comprise spokesmen for various groups, including municipalities.

The Water Pollution Statute directs that,

> No person shall discharge sewage or industrial waste, or the effluent of treated sewage or industrial waste, in any manner which will result in contamination, or a nuisance.

The regional boards may establish standards for determining what constitutes contamination and nuisance. They may vary the standards to suit physical and chemical conditions of the waters in various localities. A regional board may not disturb municipal projects that had previously been granted a permit by the State Board of Health, but it is authorized to grant permits for new projects. Under the new law the State Department of Health or a local health officer may issue a peremptory abatement order against any person, firm, or governmental unit that is conducting an operation that commits a nuisance or a contamination of waters in the state. If the nuisance or contamination is not stopped, however, the officer issuing the order must then apply to the Superior Court of the county for an injunction. Judicial examination of the facts and judicial determination of the enforcement controls in the last analysis.

Public Health Administration

The relationship that existed between the State Department of Health and local health officers from the date the state body was created until recently was one characterized by informal co-operation. Few formal relations existed between them. The state organization was generally responsible for overseeing the enforcement of state health laws and for advancing measures that would protect the health of the state's inhabitants. Within its limited resources, the state organization provided some health services in localities that did not have health organizations, and assisted city and county organizations when an epidemic or similar large-scale problem arose. By persuasion and by offering assistance of specialized personnel or central laboratory facilities, the state sought to develop a series of adequate local health organizations.

State law required local health departments to report the number of cases of certain diseases, and other vital statistics, to the state department according to methods required by the latter. When a large-scale quarantine was necessary or when cases similar to the Los Angeles beach

pollution situation arose, where local factors made it difficult for local health officers to exercise the law enforcement set forth in state law, the State Department of Health or the State Board was willing to come into a locality which was served by a local health department.

In 1947 a new pattern of relationship was adopted and placed in operation. This pattern formalized the co-operative relations between the state and local departments and assigned a specific responsibility to local representatives to participate in formation of policy that would be carried out by state and local authorities. In further implementation of this new relationship the state approved a program of state aid to local health departments.

The legal vehicle that brought this relationship into being was the Public Health Act of 1947.[9] The act authorized creation of a Division of Local Health Service in the State Department of Health, and authorized an appropriation of $3,000,000 for state aid for maintenance of local departments. It also created a Conference of Local Health Officers to work with the state department. This Conference was made up of the heads of all approved local health departments. One of the major tasks assigned this group by the law was to develop and recommend to the State Board of Health standards for local health administration which, when adopted by the Board, became the policy upon which state aid might be granted.

This co-operative relationship was born of several endeavors. The State Department of Health had been aware for many years that several counties and cities did not have local health departments and that as a result there was an acute need for public health work in certain areas. It was hoped that by enlisting the support of existing local departments in an attack upon the problem local resentments or antipathy to a central organization could be lessened. Provision of state aid was regarded as an added inducement to creation of local departments. At the same time, the state's interest could be protected by developing standards of administration that would be accepted by the state and the local authorities. Interjurisdictional co-operation had been a dynamic subject in public health administration in California for some time. Although there had been several examples of local health officers refusing to join with or to co-operate closely with other local departments, professional health officers as a group were eager to co-operate with all programs that would make the impact of their work more effective.

The state program is not committed to a specific local governmental pattern. Cities are recognized as approvable agencies for health work, particularly for those communities having 50,000 or more population. County departments that serve both unincorporated and municipal areas are recognized if their standard of performance and equipment are adequate. In many areas of the state it is believed by the State Department of Health that the most adequate program can be provided only by an intercounty unit such as a special district for health administration. All these types of jurisdictions are eligible for state aid, providing standards are met with respect to performance, personnel, and equipment.

The formula adopted is a politically expedient one and does nothing to encourage the consolidation of city and county health departments, a type of consolidation that has been completed recently in San Diego and which has been proposed for twenty years in Los Angeles. It simply seeks to eliminate the smaller health agencies by consolidation with larger ones.

The Division of Local Health Services acts as executive staff for the Local Health Officers Conference and administers the state aid program. It is responsible for evaluating the local departments in accordance with the standards promulgated and it certifies the departments that are eligible for funds. It also performs the state administrative duties with respect to distributing federal health funds among the local governments. It advises local departments and assists in setting up new ones.[10]

In the Los Angeles metropolitan area there are six local health departments. Los Angeles County, Los Angeles City, Long Beach, and Pasadena have departmental programs of some size, the first two being quite large. Beverly Hills has a small department but one that is equipped to do most of the public health and sanitary inspection work required. Vernon has only a part-time health officer.

The State Health and Safety Code determines the basis for apportioning state aid among the approved local units. There are two types of grants. One is a basic grant of $16,000 made to all approved departments and is to assist in providing a basic health program which is deemed necessary to provide a state-wide minimum standard of protection. The second grant is apportioned on a basis of population. The total of state aid appropriated, over and above the basic grants, is divided by the population figure for the state. Each department receives a grant in proportion that the city or county population served by the department bears to the total population of the state. County health departments that serve cities, as does the Los Angeles County department, receive aid for municipal areas as well as unincorporated areas. Areas served by city health departments are not included in this figure, however.

The state-local program instituted by the 1947 law appears to be a progressive one that conforms adequately with the traditions of local self-government and with the requirements for a state-wide approach to the health program.

Milk Inspection

Local milk inspection developed in the Los Angeles area before state inspection was agreed upon. The City of Los Angeles began inspecting dairies that supplied milk to local consumers in 1895. Within a few years the city extended the area of its inspections far afield from the municipal borders.

In 1915 the state adopted a Pure Milk Law. The State Board of Agriculture was designated as the state enforcement agency but it was also authorized to designate and license local authorities to act under the provisions of the state act. The state attempted to supply inspection only in

the areas not covered by local agencies. In 1920 the Los Angeles County Health Department began to inspect dairies, its Pomona office having been licensed by the state. Other areas came under county jurisdiction a little later. The county's interest in the function arose chiefly from the fact that several cities contracted with the county to perform city health administration.

In 1927 the state milk inspection law was amended in an attempt to settle some of the jurisdictional disputes that had arisen between local milk inspection agencies. Local governments were permitted to contract with other local governments for this service and the state was expected to recognize the local arrangements. This plan did not work satisfactorily and did not prevent duplication. In 1947 the state undertook to exercise its paramount legal authority in this health protection field. The state milk inspection law was amended to authorize the State Department of Agriculture to determine which local government should be designated the exclusive milk inspection agency in a particular area. The agency so selected then became, to all intents and purposes, an agent of the state. It was authorized and required to make inspections in the interest of any local governments that had milk inspection ordinances applicable to the dairies operating in the inspection area.

As a result of the 1947 law the Director of Agriculture called representatives of Los Angeles County and Los Angeles City together for a meeting to determine inspection areas to be assigned to the two jurisdictions. Areas were readjusted and were assigned to the jurisdiction having the prime interest in the particular milk-producing area. The alternative to such a demarcation of responsibility was uniform state inspection, which would have supplanted local inspection. Both local governments had such a staff and organization built up and had, in effect, such vested interests established that this alternative was not seriously considered. Inasmuch as the costs of the milk inspection were borne by the dairy industry there was no question of awarding state aid for local performance of this function that was conducted in many other parts of the state by the state government. State standards are enforced, yet the local governments have the assurance that they are protected by enforcement that reflects the local interest in having standards that are either equal to or above the state-wide standards.

Social Welfare

California law vests the responsibility for administering most forms of welfare in the county government. The granting of general indigent aid is exclusively the responsibility of that level of government. Cities may undertake certain welfare activities but they are not required to do do. The state provides institutional care for certain types of cases, such as those who are mentally ill. In 1950 an initiative constitutional amendment caused the state to take over care of the aged from the counties, but in 1952 the voters directed that the program be returned to the local governments.

State administrative supervision over county administration of aid to

the aged, orphans, and the blind has been established by state and federal statutes as part of the social security program. However, these relationships have not materially affected the pattern of metropolitan government, and therefore will be given rather brief treatment here. The state-county relationships involved in the welfare program have been developed with the objective of carrying out a general policy and a standard of administration that is applicable throughout the nation and the state. The federal and state standards of granting welfare payments have affected the cost of county government, particularly in a metropolitan community like Los Angeles. The federal and state governments have caused the county to perform the details of welfare administration in ways that are different from those the county officials would have chosen. Nevertheless, the results of this supervision have not altered the pattern of metropolitan government.

State Aid Programs Developed

So long as all public welfare administration in this state was included within the general indigent relief, there were few intergovernmental relations in the program. That was the original plan in California. The first departure from this came when the state established a policy of subsidizing county care of orphans who were placed in foster homes rather than in orphanages. In the first years of this program little state supervision of county orphan care was undertaken. Each county reported the number of orphans cared for, and made certain factual reports that qualified the county for reimbursement of a share of the aid given. In 1919 the voters adopted a constitutional amendment that governed the granting of state aid to counties for orphan aid. Legislation adopted subsequent to this set up state supervision over local administration of the program.[11]

In 1928 the voters of the state approved constitutional amendments that authorized the payment of state aid to counties for cash payments made to aged and to blind persons. Legislation set minimum age and residence qualifications for recipients of aged aid and established standards to judge need for public assistance for blind persons. One of the basic purposes of the aged aid law was to encourage counties to keep needy aged persons in private homes rather than in institutions, unless the aid recipients required medical and nursing care. Rehabilitation and training of the needy blind that they might become self-supporting was the goal of the blind aid law. The State Department of Social Welfare was given authority to establish rules governing the local administration of aid to orphans, blind, and aged. State inspection was authorized, and counties that failed to conform to state standards were not to be reimbursed for the state share of the funds paid out for individual cases. State policies were enforced through the granting or refusal of state funds. If an applicant for one of the aids were granted assistance in violation of state policies, the county could not be reimbursed for the state's portion of the aid. If the applicant were denied aid by the county administration, he might appeal to the State Department of Social Welfare. If the claim were granted the county would be required

to extend the aid. A considerable amount of detail specifications was laid down in the statutes to guide county and state officers in administering the programs.

Federal Aid

The federal government entered this field of administration when federal social security legislation was adopted. California amended its state legislation in 1937 to conform with the federal program and to qualify for federal money. The general pattern adopted in the federal program was remarkably similar to the state program that had been in operation in California previously. However, eligibility requirements were modified by federal legislation, and supervision of local administration procedures was made more detailed and rigorous.

The county remains the primary administrative unit for granting aid to needy children, aged, and blind persons. The state exercises supervision in accordance with state and federal statutes and regulations. This supervision extends over the entire procedure for administering aid to these three categories of recipients, including the process of determining eligibility of individuals for the aid grants. In a metropolitan county like Los Angeles the supervision by representatives of the Department of Social Welfare does not usually extend to field inspections. State supervision consists chiefly of review of policies and the auditing of records submitted by the county. State law authorizes the Department to prescribe forms for reporting information concerning administration of these programs.[12] Individual aid recipients may appeal to the State Board of Social Welfare from the decisions of county welfare officials, and, in the instance that state and county administrators disagree on interpretation of the state laws in respect to these categories of aid, the dispute may also be appealed to this board. On several occasions administrative determinations in Los Angeles County have been appealed to the State Board of Social Welfare and in some instances, notably one concerning interpretation of the blind aid law, the state board has ruled against the counties.

State supervision is exercised over the personnel programs that involve county employees who administer the federal-state-local aid programs, as well as over the substantive administration. Recruitment standards and other personnel policies must be reviewed by the division of the State Personnel Board organization that is charged with enforcing state and federal policies laid down in the federal social security statutes and regulations. In Los Angeles County, where county civil service has been in force for forty years and where the personnel procedures are equivalent to state and federal standards, the review is less direct and detailed than it is in smaller counties where no formal county personnel program has been in operation. This state supervision, however, does require separate personnel accounting and separate procedures for those county employees who administer the federal-state-county aid programs.

Inasmuch as aid to the needy aged, children, and blind embraces a

large administrative program in a metropolitan community, state-county relations in welfare administration figure importantly in the conduct of the county's government.

Highways

State Highway Maintenance in Cities

Since 1921 the State of California has been engaged in constructing primary highways throughout the state. In the early years it concentrated upon construction in the rural areas, linking the farms and market towns together and providing communication between cities. In that period it expected the cities to construct and maintain the links connecting the highways within the city limits. In more recent decades the State Division of Highways has been responsible for constructing the state routes within and without the cities. As a matter of convenience the state has contracted with most cities to maintain the state highways within city limits. In Los Angeles County all except the municipalities of Avalon, Huntington Park, Vernon, and Palos Verdes Estates have such contracts.[13] Not all phases of maintenance are accomplished by contract arrangement, however. Some cities are prepared to do a greater amount than others. Each city is reimbursed the cost of the work that it does for the state on the basis of a contract that is negotiated each year.

Los Angeles. —The Bureau of Engineering in the Department of Public Works is the negotiating agent for the City of Los Angeles, although not all the contract work falls within the Bureau's jurisdiction. All other bureaus that perform contract work are asked to submit estimates that are to be included in the state contract. Los Angeles performs the most complete maintenance program of any of the contract cities. Functions assigned to this city include:

Routine maintenance of:
- The traveled way, including the area extending to right-of-way boundaries
- Roadside
- Landscape area
- Roadside trees, when authorized by state engineers
- Cleaning and sweeping the roadway

Traffic service:
- Guide signs
- Warning signs
- Regulatory signs
- Traffic stripes
- Pavement markings
- Traffic signals
- Highway lighting
- Parking regulation

Issuance and control of permits:
Transportation permits
Encroachments upon the highway

Each month the city submits bills for the work performed and makes a report on the maintenance. The report form required by the state shows expenditure items such as operating expense, salaries and wages, and equipment and rental. Equipment is charged for at a mutually accepted rate, whereas salaries and wages are charged at the actual city rate. A figure equal to 10 percent of wages and salaries is included for cost of administration.

Maintenance contracts are negotiated on an annual basis, subject to modification if either party gives thirty days' notice. The City Council each year adopts a resolution approving the contract on behalf of the city.

Location of Highways and Freeways

The State Highway Commission is responsible for the determination of routes for state highways and the newer type of freeways. Before a new highway route is determined or a major relocation of route is ordered, the Commission holds hearings to determine the local wishes, particularly if the proposed route concerns a city. Where possible, except in the central metropolitan areas, the Commission has attempted to bypass cities in routing state highways. Location of a highway is usually of great importance to a city for control of traffic and for determining the accessibility of the city to other communities. Proposed routes are often opposed because they bypass a business district or because they cut through a new residential area. One example of this may be drawn: a dispute between the City Council and local elements in El Monte and the State Highway Commission was so protracted that construction of a new highway link in the eastern portion of the metropolitan area was long delayed.

Project Contracts

Because the City of Los Angeles has a large engineering staff, the state often contracts with that city for the latter to do preliminary planning and engineering for state highways that are routed through the city. The city's Bureau of Engineering does much of the planning of routes and the design of the projects. The state reimburses the city under contracts negotiated for each project. When the route is agreed upon, a freeway agreement is drawn up. After adoption of the agreement, the state contracts with the city for preparation of plans for all sanitary sewers, storm drains or street changes, and for additions made necessary by the construction of the freeway. The cost of this engineering work is also paid for by the state. This co-operative engineering program is an attempt to recognize municipal home rule. It is felt that the city department is more familiar with local conditions that affect the route location and the specific design of the freeway.

For many of the same reasons that the state contracts for engineering work on a number of projects in Los Angeles it also contracts with the city for right-of-way purchase and administration. This is in connection with acquisitions of rights-of-way financed by gasoline tax money. Land so acquired is managed by the city bureau until put to the use for which it was acquired.

State Aid for Highways and Streets HIGHWAY USERS TAXES

Since 1923 the state government has collected a variety of taxes and fees from highway users and has granted portions of that income to cities and counties as subventions. A large portion of these funds is earmarked by statute for highway and street purposes. Among the types of taxes collected from highway users and designated for highway purposes are a registration fee levied upon all privately owned vehicles, a weight tax levied upon commercial vehicles, a motor fuel tax, a use fuel tax on users of Diesel fuel, a transportation license tax upon gross receipts of "for hire" buses and trucks, and fees collected from caravans of motor vehicles being transported for retail sale.[14]

The Collier-Burns Act. — The Legislature adopted the so-called Collier-Burns Act in 1947, and this legislation largely controls the relationships between the state and the local governments in regard to highway financing. This act continued the Motor Vehicle Fund, into which are placed the revenues from the various taxes and fees that are devoted to highway purposes. Thsse taxes and fees are collected by the State Department of Motor Vehicles. Appropriations for support of the department that does the collecting and for the California Highway Patrol are first deducted from the fund. The remaining moneys are placed in a Highway Users Fund from which are paid the funds for support of the state highway program and all funds that are allocated to local governments for street and highway purposes. The Legislature has specified that money in this fund may be spent only for acquisition of rights-of-way and for construction and maintenance of streets and highways.

The Collier-Burns Act requires each county to designate a system of primary roads for which the state will grant subventions in aid of construction and maintenance. This primary road system may not exceed 50 percent of the total road mileage in the county. Addition of routes to this system may be proposed by the county board of supervisors but must be approved by the State Department of Public Works. The county is also required to centralize its road administration under a county road commissioner. This latter requirement added nothing to the practice in Los Angeles County inasmuch as this county had centralized its road administration several years previously.

Funds allocated to the counties from the state are determined by two formulas. One half is apportioned according to the ratio of automobile registration within the county to the total registration in the state. The other half is determined according to the primary road mileage within the

county. The state earmarks a portion of the county share for local administrative expenses in connection with the supervision of the road program and also specifies that a sum equal to 10 percent of the total county share shall be spent for construction of primary roads. The balance may be spent for maintenance.

Cities are even more closely hedged about with legislative restrictions upon the spending of the subvention from the highway taxes. The Collier-Burns Act increased the amount of the cities' portion but added restrictions also. The cities' portion is allocated among the municipalities on the basis of population. Sixty percent of these funds must be spent upon construction of major streets, whereas the remaining 40 percent is for maintenance of major and secondary streets. Upon receiving approval by the State Department of Public Works, a city may spend portions of the maintenance money for construction of major streets. All money allocated to the cities is paid out of the state treasury only after each city project has been approved by the State Department of Public Works. Detailed statistical reports are required also.

Motor Vehicle License Fee. — The motor vehicle license fee, or the In Lieu Tax as it is often referred to, is in reality a property tax based upon the market value of vehicles. In 1935 the collection and administration of this tax was undertaken by the state, replacing the previous personal property taxes collected by cities and counties upon motor vehicles. This tax is collected at the same time that the motor vehicle license plates are renewed.

The state allocates 40 percent of the revenue collected from this fee or tax, after administrative expenses have been deducted, to the counties and an additional 40 percent to the cities. The allocation among both groups of local governments is made according to population. The counties are not limited in their spending of this revenue by any statutory specification. The cities, however, are directed to devote their shares to paying for law enforcement, which shall include the regulation and fire protection of highway traffic. Police and fire departments are budgeted funds from this source.

The state-local relationships in respect to this fee or tax have been good. State administration, particularly when coupled with the issuance of license plates, has reduced evasion of payment. Counties and cities have been relieved of the responsibility for collection. The limitations that the state has placed upon expenditure of allocations have not been onerous, although they have tended to create an element of vested interest by certain city departments in the fund. In general the arrangement has been beneficial.

Subvention Relations. — The state-local relationships involved in the entire state aid for highways program appear to be excessively complicated. The formulas and specifications laid down by the Collier-Burns Act represent numerous legislative compromises between several strongly contending parties. The municipalities have urged for many years that they be given a greater share of the state-collected money with fewer leading

strings attached. The State Department of Public Works has urged that local streets and roads be correlated with the state highway system to insure uniformity of quality in highway construction and maintenance. Vested interest groups of highway users have contended that taxes upon highway users should be earmarked for highway purposes. These groups also have been inclined to support state administration and state supervision as a greater guarantee that the highway user will obtain satisfaction from the taxes he pays. The resulting legislative specifications for the spending of the money are highly complicated. One result for the cities has been that the Collier-Burns Act allowed the municipalities more money from state-collected sources. The counties remained substantially in the same position they were prior to the adoption of the plan. Both units of government finance most of their street and road work from state subventions.

The cities would appear to be brought under a considerable amount of state administrative supervision. In practice that supervision is more in form than in substance. It serves to keep cities aware of the necessity of relating their street work to the pattern of state highways. Although friction does occur occasionally between local interests and the state, no centralized control of street and road work has developed. The state highway officials have neither the statutory authority nor the intent, apparently, to use the state subvention as a club over local street or public works departments. The legislative requirements have strengthened the influence that the state highway officials have developed in their relations with local officials. So long as the state assumes the responsibility for collecting these revenues and is engaged in constructing and maintaining a highway system for the motorists of the state, it would appear to be justified in exercising some influence over the manner of spending the money collected.

An important defect in distributing the funds to cities is that it is based upon population. This formula is not the best measure of the needs of the city. It does not reckon with the mileage of streets that the city must maintain to serve its area, nor does it take into consideration the resources that the city may have from property taxes or other revenues. For a number of years the city shares were required to be spent upon streets connecting with state highways. Some few cities within the metropolitan area, however, were not directly connected with state highways. The wording of the Collier-Burns Act does ease that problem by permitting the money to be spent for constructing and repairing major streets. This latter term (major streets) relates more to volume of traffic than to route connections. The proviso for state approval of projects permits the central authority to coordinate local efforts on those routes that are traffic arteries between two or more communities. It should prevent scattering efforts and funds on a strictly local interest basis.

Public Utilities and Transportation

Municipally owned utilities are exempt from state regulation as exercised by the Public Utilities Commission. Under its police power, however, the City of Los Angeles exercises substantial control over the operation

within its area of utilities owned by other municipalities. These municipal utility operations consist chiefly of bus lines. Under an ordinance prohibiting the use of a bus loading zone without authorization from the Board of Public Utilities and Transportation, the city can control the routing, loading, and layover points of municipal bus lines operating within its limits. It has generally required that these lines terminate at off-street terminals. Los Angeles' own utilities, the water and power systems, are administered by the Board of Water and Power Commissioners.

Nonmunicipal public utilities operated solely within the boundaries of the City of Los Angeles are completely regulated by the city through franchises or permits and by the fixing of rates and standards of service. The latter regulations are determined by the Board of Public Utilities and Transportation. *

Any public utility operating across a city boundary comes under the regulation of the State Public Utilities Commission. Rates and service standards are prescribed by this state body. The city grants franchises to such utilities and, pursuant to the franchise and the city charter, it exercises such regulation as is not in conflict with state or federal regulations. A city-state administrative relationship is illustrated when cases involving rates and service standards of utilities serving municipal residents are heard by the Public Utilities Commission. Representatives of the Department of Public Utilities and the City Attorney's office appear to present direct interests of the city government and those of the utility customers who are city residents.

Many times several cities have a common interest in a rate or service standard case. A number of such instances have involved co-operation between the City of Los Angeles and adjacent cities. Such co-operation takes the form of a conference of representatives of the Department of Public Utilities and Transportation and the City Attorney with legal and technical representatives of other cities with a view to determining joint policy and co-ordinating the preparation and presentation of the evidence in behalf of the cities concerned.

Another type of intermunicipal co-operation occurs in connection with such utilities as pipe lines, power lines, and transportation lines that cross city boundaries. Intercity consultations are held regarding routing and the term of franchises or permits.

Interstate utilities are to a considerable extent regulated by agencies of the federal government. Los Angeles representatives participate in hearings before such federal agencies to represent the interest of city residents in matters of rates and standards of service provided by interstate utilities within this city.

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*Los Angeles is one of the few cities that has retained this degree of municipal regulation of utilities. Most cities have transferred authority to the state, except for the issuance of franchises to a utility to use the streets of the city for the public utility purpose.

Harbors and Beaches

Tideland Grants

In 1911 the California Legislature decided to encourage municipal operation of harbors. This was done by granting certain cities the use of tidelands which the state claimed by virtue of its statehood and its admission to the Union in 1850. The timing of this decision coincided with the Progressive revolt in state politics that had projected Hiram Johnson into the governorship and elected a great majority in both houses of the Legislature pledged to support the Johnson-Progressive policies. The state election campaign of 1910 had been devoted to attacking the Southern Pacific Railroad with the allegations that it held a virtual monopoly on rail transportation in many parts of the state, including the approaches to most of the developed harbors of the state, and that through its political organization it controlled the state government. The Progressives were determined to break the alleged monopoly of transportation and to eliminate the political organization that was allied with it. Opening of additional harbors under local public ownership had a strong political appeal.

The period in which this activity took place also had relationship to other developments that were to affect shipping and economic growth of the state. The federal government was well along with the construction of the Panama Canal by 1911, and it was anticipated that completion of that facility would cause ports on the Pacific Coast to increase their business. Those communities that had a water front capable of commercial development looked forward to sharing in this economic upswing, providing they could get the necessary encouragement for harbor improvement. Los Angeles and Long Beach were among the cities that succeeded in obtaining state encouragement for harbor development.

Los Angeles Harbor. — The Legislature granted to the City of Los Angeles the state's title in the submerged lands and tidelands up to the mean high tide line, to hold in trust for public purposes that were set forth in the statute. The city was required to use the lands for promotion and accommodation of commerce, navigation, and fisheries. It could construct buildings and utilities necessary to serve these purposes and operate them under municipal management. The municipality was prohibited from discriminating in rates, tools, charges, or in facilities. It was permitted to grant franchises for limited periods of time, and to lease the granted lands for periods not to exceed thirty years.[15] When it granted the lands to the municipality, the state specified that it would not contribute funds for the development of the harbor, but it would reserve the right to use the facilities developed by the city free of charge for any state-owned vessel or railroad. The municipality was required to maintain the harbor as a public one, open for all purposes of commerce and navigation. The people of the state were also guaranteed the right to fish in the harbor and to have access to it over the lands granted by the state.

The Los Angeles City Charter created a Harbor Commission and

made it responsible for the supervision of the tidelands, submerged lands, and navigable waters that belong to the city. The Commission is permitted to lease lands and buildings. It also is given authority to grant franchises, except that when the grant is for more than five years it must be approved by the City Council. The Commission is delegated the authority to adopt rules and regulations governing the use of the lands and waters under its jurisdiction and to determine rates to be charged.

Fees and charges, rentals, and similar income from the operation of the harbor facilities are devoted to the construction of facilities, maintenance, and operating costs. The Harbor Commission is given authority by the charter to spend the income free of City Council direction.

Capital improvements at the harbor have been financed both by bond issues that have been charges against the general tax resources of the city and by revenue funds derived from rentals and fees. Thus far, the city has spent $29,000,000 of general obligation bond funds and several millions from revenue funds for constructing cargo and passenger terminals, dredging channels, and performing other improvements in the interest of activities specified in the state law.

The Harbor Commission's policy has been to permit other governmental units to use harbor lands and facilities without charge when those operations were deemed to be for the general welfare or for broad public purposes.* Unimproved harbor lands, whether reclaimed tidelands or other lands, have been made available to the state government without charge for construction of buildings to house departments connected with supervising the fish industry. Space in city-owned harbor buildings has been leased to the state at nominal rentals for state activities.** The city departments of public works, police, and fire have been granted franchises to use harbor lands without fee for purposes connected with their activities. Franchises for use of rights-of-way in the harbor have been granted the Water and Power Department without fee, but rentals have been charged for the use of harbor land for electric substations and similar utility plant installations.

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*An illustration of a state-city contract for harbor land is given in Harbor Commissioners Agreement No. 286. This agreement, made on August 11, 1943, permits the state to construct and maintain a road on Mormon Island. The city gave the right-of-way with the proviso that the road be open for continuous use. The state agreed to construct the road with federal funds, and the Harbor Commission agreed to maintain portions of the road without charge to the state. Approximately 185,799 square feet of land was involved.

**The California Fish and Game Commission leases 23.313 square feet of harbor land to be used in collecting data on fish for scientific studies. The lease was drawn by the City Attorney on September 25, 1948, and is to continue until May 5, 1976. No charge is made for the use (Board of Harbor Commissioners, Order 2233).

Other Los Angeles Beach and Water-front Grants. —The City of Los Angeles has concentrated its attention in regard to harbor development upon the San Pedro-Wilmington area, but from time to time the Legislature has granted the city tidelands at other points for similar development if the city chose to undertake such improvements. Los Angeles acquired an additional ocean frontage in 1925 when the City of Venice consolidated with it. Venice had been granted the state tidelands on its water front along Santa Monica Bay, to be developed in accordance with terms that were identical with those set forth in the Los Angeles grant in 1911.[16] Los Angeles succeeded to all of Venice's rights and duties regarding the tidelands when the consolidation took place.

In 1929 the Legislature took notice of the fact that Los Angeles had annexed additional territories, and it authorized the grant of additional tidelands under conditions identical to those of the 1911 grant. The purpose of the later act was to transfer to the city all state-claimed tidelands within the area of the city at that time. Three exceptions were made, however. These included the Venice area, and the portions of the city included in the Westgate and Santa Monica Canyon annexations.[17] Water-front lands in the latter two areas were claimed by private interests on the basis of legislative grants made prior to 1910.

Long Beach. — The City of Long Beach was given the tidelands fronting upon its borders in 1911 under conditions practically identical to those contained in the Los Angeles grant.[18] In 1925 a second grant was given and, in addition to directing use of the lands for harbor purposes, the city was authorized to develop parks, playgrounds, and parkways upon them.[19] A third grant, in 1935, permitted the city to use the lands for parks, parkways, highways, and playgrounds, as well as for harbor development, and authorized the granting of franchises for power, telephone, and sewer lines and for sewer treatment plants.[20] In 1941, the Legislature authorized the City of Long Beach to transfer 333.6 acres on Terminal Island to the United States government for a naval base.

The state grants of tidelands have permitted Long Beach to develop a commercial harbor in one part of its water front and to improve other portions for bathing, recreation, small boat sailing, and a variety of uses. The developments have been municipally owned and controlled. Extensive filling of tidelands has provided space for parking, concessions, and other developments, as well as the industrial and commercial uses in the harbor area.

Other Ocean Front Cities. —Three other cities in the Los Angeles metropolitan area have been granted tidelands for the development of municipal harbors. None of these have established commercial harbor projects, however. In 1915, Redondo Beach was granted the state tidelands within its borders for the purpose of developing a harbor.[21] The terms were similar to those specified in the Los Angeles and Long Beach grants.

An ocean canyon in front of Redondo Beach afforded a deepwater approach, but the harbor was an open roadstead. For a number of years pri-

vate interests operated a pier that was used by small coastal lumber steamers. A pier constructed by the municipality has been used only by fishing boats and sportsmen, and by water-front concession businesses. The Redondo water front has been developed primarily for recreational uses.

In 1919, Hermosa Beach was granted the tidelands within its boundaries for the same purposes and subject to the same conditions as Redondo Beach.[22] No commercial harbor has developed here either. A municipal pier serves sports fishing enthusiasts, and the water front is devoted to recreational uses.

Santa Monica received the tidelands within its municipal limits in 1915.[23] The statute was patterned upon the previous acts that made grants to neighboring cities. Santa Monica has developed a harbor by building a breakwater which provides an anchorage for fishing craft, pleasure yachts, and similar craft. A municipal pier serves sports fishing boats, and space on the pier is leased for concessions. No commercial shipping has developed here. The major uses are recreational.

The Tidelands Oil Controversy

Discovery of oil under the tidelands and submerged lands touched off a series of contests and caused a re-examination of the situation under which the cities and the state had come to claim these lands. In 1931, the Los Angeles Playground and Recreation Commission sought to lease a section of the tidelands in the Venice area. The lease was to permit a private company to use the land for drilling oil wells and extracting oil and gas. A taxpayer's suit successfully enjoined the granting of the lease, and the District Court of Appeals ruled that if the city leased its tidelands for oil drilling it thereby alienated a part of the property given it by the state because the lessee would appropriate the oil. The court was inclined to the view that mineral wealth beneath the tidelands was state property because the Legislature had not been aware that oil existed there when it gave the tidelands to Venice, and, furthermore, that the uses specified for the tidelands were harbor construction and operation. The basic point of the case, however, revolved around the leasing of the lands to a private company which would take possession of the oil that it brought to the surface. The State Supreme Court declined to hear an appeal, and thus upheld the lower court.[24]

In 1936, oil was discovered under the tidelands and adjacent property at Long Beach. Private drilling began to tap the pools under the public lands. On May 14, 1937, the city amended its charter to permit the municipality to drill for oil on its tidelands, providing the Harbor Commission determined that those operations did not interfere with commerce or fisheries. Income from the wells was to be used exclusively for harbor development and for repayment of harbor bonds. The Legislature ratified the charter amendment. In January 1938, a taxpayer's suit halted the city's drilling, alleging that the oil resources belonged to the state and not to the city. Private drilling claims were filed with the State Lands Commission

for permission to drill under state law. The city then brought an alternative action to the State Supreme Court.

In this Long Beach case the court ruled that California acquired full title to the submerged lands and tidelands off its coast when it became a state of the Union and that it could grant its title to the city. The court declined to accept the argument that the 1911 tideland grant had reserved any part of the title to the state. It ruled that a complete transfer had been made to the city, subject to the limitations of use for harbor purposes. Nothing in the statute prohibited the city from drilling. In fact, ownership by the city gave it authority to act. In this instance the city's claim to the oil resources was bolstered by the fact that the Legislature had approved the city charter amendment, and that the amendment had been adopted after oil had been discovered.

The court distinguished this case from the previous Los Angeles case on the ground that Long Beach proposed city drilling, whereas Los Angeles had sought to lease the tidelands to a private operator. It reversed the portion of the previous decision that claimed state ownership of the oil resources. [25]

In a second case the Supreme Court declined to direct the State Director of Finance to issue drilling permits to claimants for portions of the tidelands that had been filled prior to the grant in 1911. The court interpreted the will of the Legislature to have been to grant all tidelands and submerged lands, filled and unfilled, to the municipality for harbor purposes. No portion had been reserved to the state. [26]

The City of Long Beach contracted with the Long Beach Oil Development Company and the Richfield Oil Company to develop the oil and gas resources under the city lands. The city paid the cost of drilling, maintenance, and operations. in return for 85. 85 percent of the gross revenues of the former contract and 94. 1 percent of the latter. Total proceeds to the city have been approximately $150,000,000. [27]

The Federal Claims. — In 1945 the federal government challenged the state's basis for claiming the tidelands and submerged lands along the coast of California. It was contended that the federal government had paramount rights to the marginal seas, that the state had not acquired title to the tidelands and submerged lands automatically upon becoming a state of the Union, and that Congress had taken no action to divest the national government of control. In the absence of federal action, the state did not acquire sovereign rights to the lands. The Department of Justice orginated the case in the Federal District Court in Los Angeles. By 1947 the case had reached the United States Supreme Court. By that time the issues involved had attracted national attention. The entire problems had more than local implications. An extensive array of counsel, including representatives of Texas and Louisiana, and of municipal law officers' associations and groups of municipal harbor commissions, joined California in preparing briefs of the case for the court. On June 23, 1947, the court gave a 6-2 decision which ruled in favor of the federal government's contention. The court

recognized the principle, however, that the state had title to the bays and inland waters, but did not control the marginal sea.

The contest before the courts thereupon shifted to seeking a definition of inland waters, as the concept might apply to specific instances such as the San Pedro and Santa Monica Bays. The Supreme Court appointed a Master in Chancery to take evidence and to recommend a finding on this matter. Seven areas in California, including Santa Monica and San Pedro Bays, were included in the new action for definition. The state contended that waters which were shoreward of a line drawn between two headlands or capes were inland waters and therefore under state control. In one previous case a lower federal court had held that San Pedro Bay was a part of inland waters inasmuch as the bay was within a line drawn from Point Fermin near San Pedro to Point Lasuen near Huntington Beach. The federal government contended in the later case that the three-mile belt of national jurisdiction, which is recognized by the majority of nations in international law, followed the contours of the coast, and if two headlands were more than six miles apart the indentation in the coastline was not a bay and therefore it did not constitute a part of inland waters. In October 1942, the Master in Chancery recommended that Santa Monica and San Pedro Bays not be considered inland waters.

While the matter had been in the courts, groups had been active in Congress. In 1946 the two houses of Congress had adopted a joint resolution to confirm the state's claim of titles to the submerged lands and subsurface resources. This was vetoed by President Truman on August 1, 1946, and Congress failed to obtain the constitutional majority for overriding a veto. In 1951-52 the matter became active in Congress again and each house adopted its version of a bill. A conference committee adopted the Senate version and both houses approved this agreement on May 15, 1952. President Truman vetoed this measure, and again Congress failed to override the veto. Before leaving office in January 1953, President Truman issued an Executive Order establishing a federal petroleum reserve on federal submerged lands and assigning the supervision of this reserve to the Navy Department to administer in the interests of national defense. The 83d Congress adopted legislation granting title in tidelands and submerged lands to the states, and President Eisenhower signed the measure. Additional suits filed in federal courts by the State of Arkansas and others kept the controversy open, however. Money derived from drilling in the disputed lands in California has been impounded by the state and by the City of Long Beach for their respective jurisdictions, pending the final settlement of the problem.

Parks and Recreation

Beaches

The Los Angeles City Department of Recreation and Parks maintains two state-owned beaches for recreation and park purposes under contract

agreement with the State Park Commission and Department of Natural Resources. Under the authority of Section 5015 of the State Public Resources Code, as amended, the state has adopted a policy of purchasing beaches, within the limits of funds available, if a local agency will pay half the cost. In lieu of cash, however, a local government may deed a like amount of land to the state for park purposes. When either type of arrangement is completed, the state will lease the beach to the city for maintenance. The City of Los Angeles and the state have co-operated to develop a recreational beach system within the city limits along the Santa Monica Bay coast.

An agreement made between the state and the city on December 30, 1948, determined the administration and control of certain beaches wherein the city assumed operation from the state. In accordance with that agreement the state leased to the city for a period of fifty years, February 1, 1949, to January 31, 1999, all state-owned or state-acquired beaches north of the Santa Monica city limits to the northern boundary of the City of Los Angeles. The city has complete control of the development of these beaches, providing it conforms to the standards prescribed by state law applicable to state beach parks. The city pays all park, playground, and recreational costs, and pays for the development and use of these beaches. The city is authorized to grant concessions, for which it may assess, collect, and retain any charges it wishes from the private operator. Any improvements made upon the state beach property by the city remain city property. The leases can be changed, extended, terminated, or renewed by mutual consent.

In the area south of the City of Santa Monica, between that city and El Segundo, the City of Los Angeles maintains six miles of public beach. The balance is city-owned beach.

The state does not attempt to provide lifeguard service or public beach maintenance in this area, but it operates instead through the local agencies. The City of Los Angeles provides lifeguard service on city-owned and state-leased beaches. The City of Santa Monica provides its own service, and the cities of Redondo Beach, Hermosa Beach, and Manhattan Beach contract with the county government. Los Angeles County provides lifeguard protection and beach maintenance on county-owned and contract-protected beaches. The City of Long Beach maintains its own lifeguard and beach program.

State Parks

The State of California, both through state departments and through state-related agencies, has undertaken a number of park developments throughout the state. The state park program as such has been one of acquiring and developing forest, beach, and roadside parks that would be of use to the population of the state at large. A variety of schemes has developed from time to time to have the state acquire or take over properties that had a historical significance. Sometimes these properties have been donated to the state by private owners to ensure preservation of a

building or a small tract of land for the public interest in the history of the state. Several plans have been proposed for joint expenditure of city, county, and state funds to acquire larger projects which will be given to the state for maintenance as state parks.

As an example of the city, county, and state joint effort is the plan for development of the Plaza section of the Los Angeles civic center. The Plaza Mission Church and the surrounding area constitute the site of the original location of the Pueblo of Los Angeles. Plaza Park, opposite the church, belongs to the City of Los Angeles. Several buildings in the area belong to the county government and form a part of the present administrative center. Civic center plans entered into by the city and county call for eventual demolition of these buildings and allocation of the land for park or mall purposes. The entire project has been correlated with the state-city plans for the acquisition of lands for and the routing of the Hollywood Freeway in that area. When lands were acquired for the freeway and its approaches, buildings were removed and the land not required for freeway purposes was reserved for eventual development as part of the park project. Tentative plans were made to have the state acquire additional historic buildings in the area and maintain them as state parks.

Some small state park properties located within the City of Los Angeles have been assigned to the city by agreement for maintenance, inasmuch as the city is in a better position to administer the properties. An example of this is the agreement for administration and control of the "Lumis El Alisal Home," the home of an early settler that has been given the state for a park. Under an agreement made on March 31, 1944, the city leased the property for twenty-five years. It assumes the control, care, and maintenance of the property, and it assumes all costs of development and maintenance. The state has agreed to assume liability, unless such is due to negligence or failure on the part of the city. The city is required to conform to state park rules in operating the park, however. Any buildings or other improvements made on the property must be approved by the State Park Commission.

Another type of lease is that made between the state and the city for the former to use a portion of the city's Arroyo Seco Park as the site of a State Armory. This lease is for a period of fifty years, commencing January 17, 1949. The state agreed to construct armory buildings subject to the approval of the city's Board of Recreation and Park Commissioners and the Municipal Art Commission. The state agreed to pay all charges for utility services and for maintenance of the premises. It also agreed to keep the area clean and to maintain as a park any part of the grant that was not used for buildings. The city reserves first priority to use the premises for public park purposes. The state may terminate the contract and return the property if the building is badly damaged by earthquake or if the state no longer requires the use of the building. Upon termination of the agreement, the state may remove the building or it may make such other disposition as is agreed upon by the two parties.

II. FEDERAL-LOCAL RELATIONS

In the traditional conception of constitutional government in the United States the national government has no direct concern with the local governments. Cities and county governments are creatures of the state within which they are located, and consequently their constitutional relationship is with the state government. In this conception the national government would be concerned directly with local government only in such exceptional instances as the District of Columbia and communities such as Boulder City, Los Alamos, Norristown, and Hanford, which are located on federal lands and are populated in the main by employees of federal agencies.

Bases for Developing Relationships

Activities of the national government have never been confined to the national capital, however. Statutes adopted by Congress relating to many domestic programs, decisions, and policies determined by federal department heads, and day-to-day activities of federal administrators in the field services have affected the conduct of certain local governments for a long time. For example, the Corps of Engineers has been the principal federal engineering service concerned with rivers and harbors for nearly a century. Development of a harbor by the Corps, under authorization of Congress, had much to do with the economic success of any city fronting on the harbor so developed. Selection of one city's project as against that of another was a matter of far-reaching economic and political consequences. Likewise, cities that were located near a river were vitally concerned with the Corps' efforts at controlling the floods on that river. Mayors and councilmen, as well as other local political leaders, learned to wait upon the members of the Rivers and Harbors Committee of the House of Representatives (renamed the Public Works Committee). They became aware too of the district engineer of the Corps of Engineers.

This authority of federal agencies in matters affecting rivers and harbors arose from the federal interest in navigation. A series of Supreme Court decisions has interpreted and defined the constitutional power of the federal government with respect to foreign and domestic commerce to extend to matters affecting navigation of harbors, bays, and streams. The federal authority to control navigation also has been interpreted to include preventing obstructions to navigation. A proposed city bridge over a river, a bay, or a harbor has first to receive the approval of the federal authority charged with protection of the national government's interest in this matter. Construction of a dam on a navigable river, whether for purposes of flood control or for diversion of the water to irrigation and domestic use, likewise involves federal consent.

A river that flows through several states presents a federal problem. Allocation of water may be determined in part by an interstate pact between the interested states, but constitutionally such a pact is possible only if the

federal Congress approves. Such a river is the Colorado, which has figured heavily in the affairs of the Los Angeles metropolitan area.

It has been reasoned that a river which is normally not navigable but which overflows periodically and discharges flood waters and debris into a navigable harbor or river may come in for federal attention. This has been the basis for work performed by the Corps of Engineers in the Los Angeles River basin since 1934 and for federal grants to the County Forester and Fire Warden Department for watershed protection.

Administration of federal public lands is clearly an exercise of federal authority, and is one that is the basis for numerous federal-local relationships. Federal policies with respect to homestead claims to public lands have been important in determining municipal water enterprises. Willingness to sell public lands to the municipalities has often been a significant aid to local projects. Similarly, willingness to grant rights-of-way and use permits for federal lands has made important local projects possible.

The federal-local relations have not been entirely one-way in their benefits, however. The willingness of a municipality to grant or lease portions of its public lands to federal agencies for public purposes has produced significant results, particularly for national defense programs.

Types of Relationships

Federal-local relationships that have benefited the localities most appreciably have depended upon two kinds of federal action. One has been based upon actions of Congress appropriating funds for federally controlled projects that benefit the community as well as the nation. The second has depended upon an executive decision by the President, a cabinet officer, or a federal bureau chief, within the policy adopted by Congress. In almost every instance, the initiative that was necessary for the start of the relationship has been displayed by local officials or by local political groups.

A somewhat different pattern is involved in the financial relationships between the federal government and local units wherein federal money is employed to assist in financing a locally administered project. A federal agency is first allowed a sum of money by Congress to establish a nation-wide system, e.g., construction of airports, organization of a mountain fire protection service, or research in heart disease. The broad policy that is to control the spending of this money is approved by Congress, and that policy has as one of its objectives the encouragement of local government administration. National standards are determined and a national program is planned. Then one of two choices of procedure is selected. Either the states are invited to submit projects and proposals for programs, including those of their local governments, or, as in the instance of airport development, the local governments may be invited to apply directly for federal aid. The more usual choice has been that of state-federal discus-

sion, with the state presenting the plans of its local governments as well as its own program. Local governments receive federal financial aid in either instance when local projects meet the tests and conditions established on a national basis. The amounts of federal funds given for any specific local government's work will be determined in part by the formula set for the particular allocation and in part by the availability of funds appropriated by Congress for the entire national program.

In a few instances, particularly in health grants, federal aid has been given chiefly to induce local governments to undertake programs that might otherwise be long delayed. Less emphasis is placed upon close supervision and review of local performance. No exact matching of federal funds by the local agencies is required, although in fact local expenditures well exceed the federal grant. In other instances the federal government supplies an exact share of the expenditure, and it insists upon exercising close scrutiny of local performance as the condition for continuing to give aid. Only a few of the federal aid laws permit money to be advanced to the local government when a plan of action has been approved. In the majority of instances aid may only be claimed as reimbursement for local expenditures which must be claimed, justified, and verified in accordance with congressional statutes and administrative policies.

Federal Relations with Several Local Units

Federal administrative agencies have had relations with several types of local government in the Los Angeles metropolitan area. These have included cities, the county, and special districts. The Board of Supervisors and administrative officers of Los Angeles County are deeply concerned with federal relations regarding social security and social welfare, forestry protection, and public health. As the board of directors for the county flood control program, the Board of Supervisors have sought and obtained federal aid. In some programs the county is alone eligible for federal aid because California law assigns programs such as care of the aged, blind, and orphans to the county rather than to a municipality. Public health, however, is a function of both units, and the county qualifies for federal aid on two counts: one, as the public health unit that serves unincorporated areas, and two, as the agent for forty cities that have transferred their public health responsibilities to the county.

Federal-local relationships in the Los Angeles area may not have been unusually numerous, when compared with those in other metropolitan areas, but they have been extremely significant to the growth of the economy of this area. They have exercised an important influence upon the pattern of local organization and upon local policy as well.

Water Supply

The federal government has played a vital role in the efforts of the City of Los Angeles to acquire an adequate water supply. Federal policies

and decisions with respect to public lands made it possible for the city to develop its first major source of water outside the city's limits. Federal agencies also had a significant part in negotiating the Colorado River Compact between the states interested in that interstate drainage basin, and thus made it possible for the City of Los Angeles and other communities in the metropolitan area to gain a share in the Colorado River water which is now distributed through the Metropolitan Water District of Southern California. Without the sympathetic support of the federal government in each of these projects, the city could not have gained the water supply that is necessary to support the population and the economy that occupies the area today.

Owens-Mono Projects

In 1904, representatives of the city began investigating the possibilities of acquiring and developing water resources in the Owens River valley, located in Inyo County 240 miles north of the city. They discovered that the newly created Reclamation Bureau of the federal government had filed claims on large tracts of public lands and also had filed claims on water resources during the previous years. The Bureau was conducting surveys and developing plans for a reclamation project which was to support agricultural development in the valley. When the city's representatives approached the bureau's officials, the latter indicated that they could not help the city in its undertaking unless the water project were wholly municipally owned and operated.[1] The city was then in the process of taking over the water distribution system from the private water company that had been franchised to take water from the city's rights in the Los Angeles River and distribute the supply throughout the community. One of the points under discussion at the time, however, was the possibility that a privately financed company might develop the resources of the Owens River for distribution to the city.

After assurances were given the Bureau of Reclamation that Los Angeles proposed to go ahead with a municipally-owned project, the Bureau withdrew its Owens Valley plans in favor of those of the city. The Geological Survey and the Forestry Service also assisted the city materially in achieving its objectives. The heads of both federal bureaus were active in persuading President Theodore Roosevelt to support two actions that were decisive aids to the municipal program. One involved support of Public Law 395, which the President signed on June 25, 1906. This statute conveyed to the city rights-of-way over public lands for an aqueduct to bring the water to the urban area, permitted sale of public lands to the city, and determined the reimbursement which would be made to the Reclamation Bureau. Public lands conveyed by this act were located in Inyo, Kern, and Los Angeles counties, and included lands in the Sierra and Santa Barbara Forest Reserves and the San Gabriel Timber Land Reserve. The city purchased a total of 27,906 acres from the federal government.[2] The second

action involved a Presidential Order which withdrew all public lands along the line of the proposed aqueduct from private filing. This order forestalled speculators and others from making claims upon land that lay within the path of the aqueduct. This protected the city from the necessity of buying out claims that might have been established after news of the project was released. The Chief Engineer of the Los Angeles Water and Power Department has summarized the significance of these acts as follows:

> This assistance from the United States was of the greatest importance; in fact, it is probably not too much to say that the project could not have gone forward if the Government had refused the grant of this public land and right of way.[3]

In the early 1920's drought conditions caused the city to consider extending its water project into the Mono Basin, north of the Owens Valley development. In 1923 the municipal water department began filing claims on water rights in that area. Again the city sought and obtained aid from the federal government in the form of rights-of-way and grants of public lands to protect the city's project. A considerable portion of the lands that were adjacent to Mono Lake, and which were affected by action of Los Angeles in diverting water from the basin, were public lands upon which a number of claimants had filed but had not patented their land titles. In 1930, the city spent $430,000 acquiring these claims, in paying damages that accrued to the lands as a result of the potential variance in the lake's water level. The city did not acquire title to the lands, although in 1936 it was authorized to acquire certain of the lands. Whether the city purchased the land or not, it was protected in its development of the area's water resources so long as the federal government did not permit private parties to file upon the public lands that might be affected by the water project. An effort was made in 1947 to force the opening of these public lands to private claim activities by congressional legislation, but the move failed.[4]

Colorado River

Discussions concerning flood control, silt prevention, and use of waters of the Colorado River led to federal legislation in 1921 which permitted the Colorado basin states to negotiate an interstate compact for allocation of the river water. In accordance with the terms of the act, President Harding appointed a federal representative to participate in the discussions. Secretary of Commerce Herbert Hoover was the president's choice, and he was designated chairman of the conference by the conferees. The compact which was developed allocated water between the upper and lower basin states, and determined priorities for water use. It was decided that the interests of navigation in the river should be rendered subordinate

to domestic uses of the water, and that use of water for municipal consumption should be accepted as a part of the term "domestic" use.

In 1923 the City of Los Angeles and neighboring cities expressed an interest in securing Colorado River water. They entered the political struggle that preceded the passage of the Boulder Canyon Project Act, injecting urban water supply claims into the discussions. In 1927 the State of California authorized creation of the Metropolitan Water District of Southern California, which included Los Angeles and nineteen other cities. The objective of this district was to obtain a portion of the Colorado River water for urban uses.

In the Boulder Canyon Project Act, adopted in 1928, the federal government ratified the Colorado River Compact, authorized construction of a dam at one of two sites on the river, and appropriated money for the work. The dam which was constructed at Boulder Canyon under authorization of this statute became the main storage reservoir on the river. It was adapted also to the production of hydroelectric energy.

Financing of the federal projects on the river was based upon income from contracts between the federal government and a number of interests for the sale of water and of hydroelectric power that was to be generated at this high dam at Boulder Canyon. On February 21, 1930, an agreement was entered into for the sale of water, and for determining the priorities among several governmental units that were claimants for purchase of the water. The Metropolitan Water District was given fourth place among California claimants by the 1930 agreement and was allocated 550,000 acre feet of water per year. [5]

The Bureau of Reclamation was designated as the chief federal agency for water and power administration on the Colorado River. The Bureau constructed Parker Dam, which is located downstream from the Hoover Dam at Boulder Canyon, with funds supplied by the Metropolitan Water District. This project is lower than the Hoover Dam and is mainly for water storage purposes. Water is diverted at Parker to an aqueduct which the district constructed and which it maintains. The Bureau of Reclamation regulates the amount of water channeled to the district's aqueduct.

Electric Power

Under the terms of the Boulder Canyon Project Act, Congress permitted the Bureau of Reclamation to generate hydroelectric power at the dam, and to sell the power to such users as might apply. Revenue from this sale of power was to help pay for the costs of construction and maintenance. In this first act there was no clear separation of the interests of flood control, silt control, and conservation of water in so far as calculations for the support of the project were concerned. On April 26, 1930, the Bureau entered into a contract with the Los Angeles City Water and Power Department for delivery of power. Inasmuch as deliveries were not available until 1937, the contract date became June 1, 1937. This contract provided a formula for payment by the city to the federal agency for generation

of electric energy, compensation for lease of machinery, and for maintenance and replacement of machinery at the power plant.

Rates Paid at Boulder Canyon

The first act, with the contract made under it, was modified and superseded by the Boulder Canyon Project Adjustment Act which was adopted on July 19, 1940.[6] New contracts were negotiated and were made to extend from May 29, 1941, to May 31, 1986. The Adjustment Act set up four different objectives which were to be met by revenues from the sale of power at the dam. One objective was to meet the cost of operation and maintenance, and to set aside a fund for replacement of the machinery. A second was to repay the cost of the project at 3 percent interest over a period of fifty years. A sum of $25,000,000 was deducted from the estimated cost of the project, however, and allocated to flood control. Flood control costs were not to be computed in determining power rates. Third, annual payments of $300,000 were to be made to the states of Arizona and Nevada from the sale of electric energy, and fourth, a sum of $500,000 was to be set aside annually to be used by the Secretary of the Interior for new projects on the river. In determining rates for sale of power generated at the government-owned plant at the dam, each of these four factors would have to be considered.

The contract made with the City of Los Angeles under the Adjustment Act recognizes two types of charges. Generating charges are such as to provide for the repayment, with 3 percent interest, of the cost of the generating machinery and equipment, the cost of its operation, and for setting aside an annuity for certain replacements. Energy charges set for each contracting party, on the other hand, are determined with reference to the four objectives set forth by the Adjustment Act. Under the federal-municipal contract the federal government agrees to deliver to the city an amount of firm energy, subject to the availability of water, that is determined in accordance with a formula. In addition to this amount the city has the option of taking 55 percent of a second block of power which is referred to as secondary energy. In 1949-50, the city purchased 2,041,000,000 kilowatt-hours of firm energy and 980,000,000 kilowatt-hours of secondary energy. The rates set for energy that year were 1.314 mills per kilowatt-hour of firm energy and 0.426 per kilowatt-hour of secondary energy.[7]

Generating Plant and Rights-of-way

The city constructed a high tension line to transmit energy generated at Hoover Dam to the city. The Boulder Canyon Project Act granted rights-of-way over public lands for such a transmission line. This line traverses almost the entire width of San Bernardino County before it reaches Los Angeles County and the city limits. (See pp. 113-14 for a discussion of intercity relations resulting from efforts to route this line.)

On May 29, 1941, the City of Los Angeles, the federal government,

and the Southern California Edison Company entered into a contract for the operation of the government-owned power plant at Hoover Dam. The contract is to run until May 31, 1987. Under this agreement the city and the company agree to operate the plant at cost, each to operate a separately defined portion.

Los Angeles-Federal Relations at Boulder City

An interesting by-product of the decision to have the Los Angeles Department of Water and Power act as one of the agency operators of the power plant at Hoover Dam arises from the fact that the Department regularly stations approximately 125 of its employees in the federally-operated community of Boulder City, Nevada. The Department provides houses for the employees' families, cares for the grounds, collects garbage and trash, and conducts a maintenance operation. In connection with its power operation the Department has an administration building, a garage, and shops in the town also. The buildings are all on land leased from the federal government. The community governmental services are operated by the Bureau of Reclamation, and the costs of these services are calculated as expenses of operating the project at the dam. These project costs in turn are figured in the price that the Bureau must charge the City of Los Angeles and other purchasers of power generated at the dam. Inasmuch as the Department of Water and Power is anxious to obtain power at the cheapest price possible it is interested in the costs of the community. This interest was reflected in the discussions which the Bureau inaugurated in 1950 relative to setting up some form of local government for the community and thus freeing the Bureau of responsibility for operating the undertaking.[8] Los Angeles is interested in having only sufficient community facilities provided to maintain a satisfactory environment for its employees.

Harbors

The development of the Los Angeles harbor has been peculiarly dependent upon relations between the federal government and the city. The coastline of that part of California that now includes the Los Angeles metropolitan area was not endowed by nature with a natural harbor of any significance. An anchorage and lagoon at San Pedro had been used by coastal and ocean-going ships from early times.

In 1875 Senator John P. Jones of Nevada and several Los Angeles capitalists undertook to make Santa Monica a commercial port. They constructed a wharf there and built a railroad to connect the landing with the City of Los Angeles and the mines in the interior. In 1889 a group from Oregon built a wharf at Redondo and constructed a narrow-gauge railroad from there to Los Angeles. The following year the Santa Fe railroad entered Redondo Beach and also constructed a wharf. Some rivalry began to spring up between these fledgling ports, a rivalry that was sharpened by competition among the transportation groups.

Los Angeles

The San Pedro site enjoyed some natural advantages but it also suffered some important disadvantages. These points are summarized by an early writer who was an enthusiast for development of harbor facilities:

> During the greater part of the year, . . . the roadstead offered good anchorage and fair protection to vessels, and even prior to the improvement of the estuary, a very considerable volume of coast commerce was carried through the port of San Pedro . . . The problem presented at San Pedro was not complicated, as the case has frequently been elsewhere, by the presence of a river of fresh water flowing into the estuary and carrying a great quantity of silt and sediment to clog up the harbor. Doubtless in some earlier geological period, when rains fell in great volume in California, . . . the Wilmington lagoon was the outlet for a great river, probably the San Gabriel, and in that way the estuary was first formed. At present the San Gabriel has its principal outlet about ten miles to the southward of San Pedro; but at the same time the harbor was constructed the river discharged the main portion of its waters into the Wilmington estuary, though it was only after seasons of unusual rainfall, and then only for a period of a few weeks that this discharge materially affected the regular volume of the tidal prism that daily found its way down to the sea.[9]

Congress first appropriated funds for improving the San Pedro harbor in 1871. It voted $200,000 for dredging the inner harbor to a depth of ten feet at mean low tide. The plan for this work was based upon a report made for the U. S. Corps of Engineers in 1869. Additional appropriations for dredging operations were made in succeeding years.

During the 1880's the idea of a deepwater harbor at San Pedro began to take shape. The Los Angeles Chamber of Commerce, which organized in 1888, became strongly committed to the plan for making the San Pedro site a world port. A report submitted in 1891 by a board of engineers appointed by the Secretary of War considered that San Pedro and Santa Monica were the only feasible sites for a harbor. The board considered "San Pedro Bay as the better location for the deep-water harbor provided for by the act."[10] Congress called for a second report on the project, and in 1892 another board of engineers was appointed by the Secretary of War. This board, too, reported that the San Pedro site was better for a breakwater and deepwater anchorage.

A political fight had developed in California politics between the partisans of the San Pedro and Santa Monica sites, and this contest was carried into the committees of Congress and onto the floor of both houses of the national legislature. Ultimately, in June 1896, Senator Stephen M. White, U. S. Senator from California and a resident of Los Angeles, succeeded in obtaining passage of a bill appropriating federal funds for a deep-

water harbor at a site that was to be selected by a board of engineers. The board, known as the Walker Board, reported in 1897:

> Taking all [these] considerations together, this Board reports in favor of San Pedro as the location for a deep-water harbor for commerce and refuge in Southern California.[11]

In 1899 work began upon the breakwater which extended eastward from Point Fermin. It was completed to a length of 11,152 feet in 1912.[12]

In 1909 the cities of San Pedro and Wilmington consolidated with the City of Los Angeles, and the Harbor Commission of the latter city began to push plans for developing the San Pedro-Wilmington harbor site under municipal enterprise. In 1911 the State Legislature granted to the cities of Los Angeles and Long Beach the tidelands at the harbor, within their respective city limits, for use in developing harbor and dock facilities under municipal ownership and control. (See pp. 27-30 for discussion of the state grants of tidelands.) Both cities created harbor commissions by charter enactments and granted responsibility to the commission in each instance to manage lands, wharfs, docks, and other facilities that were built upon the harbor frontage that had either been allocated by the state or acquired by the cities by other means.

Flood Protection. —Soon after the breakwater was completed the federal government was called upon to aid in preventing the Los Angeles River from silting the harbor. A preliminary survey of necessary work was made by the Army Engineers and approved by Congress in the Rivers and Harbors Act of July 25, 1912. This survey was developed further by a report presented to Congress and adopted by it in 1916. The project that was financed by these two statutes produced a diversion of the river so that the stream no longer could discharge flood waters into the harbor. A rock-lined channel was constructed to the east of Los Angeles and Long Beach harbors. The desilting project was completed in 1923.[13]

Dredging. —Federal appropriations have made possible a large amount of dredging of the harbor channels and basins, supplementing the dredging work undertaken by the Municipal Harbor Commission. The entrance channel to Los Angeles harbor was dredged to 1,000-foot width and 40-foot depth, and the inner harbor was dredged to a depth of 35 feet. Inner harbor channels and a turning basin were completed in 1931. An outer harbor turning basin was completed in 1939; other channels have been dredged from time to time. The significance of this work for the development of a commercial harbor at Los Angeles may be drawn from the following statement by the Army Engineers:

> Prior to the improvement of Los Angeles harbor by the United States, the outer harbor was an open roadstead, well-protected on the west by the bluff which terminates at Point Fermin, but exposed to the southeast, south, and southwest. The bay had varying depths up to 9 fathoms (54 feet). The inner harbor had a depth at the present entrance of less than 2 feet. A narrow channel led up to Wilmington, a distance of 3-1/4 miles.[14]

Additional Projects. — Extensions of the breakwater have improved both the Los Angeles and the Long Beach harbors and have made possible a large amount of construction of harbor projects within the protected area. In 1937, a 12,500-foot detached breakwater was completed off the Los Angeles harbor. Another 6,000 feet were completed in 1942 under a Navy contract. A concluding length of detached breakwater measuring 13,350 feet was built in 1943 and 1946.[15]

Development of the Los Angeles harbor anticipated the completion of the Panama Canal which was to make ocean commerce between the Atlantic and Pacific oceans more attractive by eliminating the long trip around Cape Horn. The canal was opened in 1914 but the outbreak of World War I delayed the flow of commercial travel until 1919. At the close of the war also, the strategic plans of the United States for national defense altered, and the government adopted a policy of maintaining a "two-ocean Navy." The rise of Japan as a military and naval power was deemed to constitute a threat to the security of the United States, and in consequence the main battle fleet of the U. S. Navy moved from the Atlantic to the Pacific. Naval air, submarine, and destroyer units were based at San Diego, and the heavy units of battleships and cruisers were stationed at Los Angeles-Long Beach harbor. The headquarters of the Commander-in-Chief, Pacific Fleet, was established at Los Angeles harbor and maintained there until 1940 when it was moved westward to the newly-developed Pearl Harbor in Hawaii. Even after the battle fleet was moved, the U. S. Navy continued to have a strong interest in Los Angeles harbor. For one thing, this harbor was the main oil exporting port on the Pacific coast, supplying not only the naval fleet but the international commercial trade as well. Supply facilities for storage and shipping of other types of supplies to the fleet's units also have been maintained at water front facilities which have been leased by the Navy from the city harbor department.

Federal Interests in the Harbor. — During World War II many new naval developments in the harbor area were brought into being. On August 9, 1940, the Navy leased from the Harbor Commission a tract of 228.6 acres of harbor land on Terminal Island for a naval airfield. The federal government sought an outright grant of this land by eminent domain, but the city and state resisted this in court. Thereafter the federal authorities agreed to a long-term lease with no payment to the city, other than reimbursement of the court costs. Much of the land involved consisted of tidelands that had been granted to the city by the state and later filled and raised by sand dredged from harbor channels and pumped behind retaining walls. The city and the state representatives in 1940 were loath to permit transfer of ownership of any of these filled tidelands to the federal government, lest such transfer establish a precedent in the controversy between the state and the federal government over tidelands claims. It was possible also that the lands in the harbor area would be required for further commercial developments; therefore the city hoped to keep an element of control. The lease given the Navy for the airfield was to run for thirty years, the maximum allowed by state law and the city charter.[16] At the close of the

war the Harbor Commission sought to resume control inasmuch as the Navy closed the naval air station. The Navy insisted upon the continuance of the lease, however, and declared that it needed the space for a variety of purposes.

In 1942 the Navy entered into two contracts with the Harbor Commission for leasing water-front facilities. It leased berths 86-88 and 37-40 for an oil depot. Included in this lease were approximately 13-1/3 acres of harbor land back of the berths which were to be used for oil storage. The Navy agreed to pay a rental which was to be calculated at 1/2 cent per barrel of oil storage, up to a maximum payment of $60,000 per year. The lease was without term, being subject to cancellation upon thirty days' notice.[17] The Navy also leased a shipyard that was located on a tract of harbor land that was approximately 36 acres in extent. The lease began on April 13, 1942, and was to run for ten years. Renewals up to a total of an additional ten years were made possible, and in 1952 the lease was extended to 1962. The Navy pays $77,663.40 per year and has agreed to restore the premises before returning the property to the Harbor Department.[18] A second shipyard lease involved 12.25 acres of harbor land. In August 1947, the Navy arranged with the Todd Shipyards for the latter to operate the yard on behalf of the Navy. This lease has since expired.[19]

Five additional lease contracts between the Navy and the Harbor Commission call for payment of funds for use of wharfs, sheds, and harbor lands. A wharf and building at Berth 56 are leased for $1 per year for uses that are mainly military. Other wharfs and sheds which provide for a naval supply depot are leased on a regular commercial basis.[20] Rights-of-way for oil lines are granted for an indefinite term and without charge.

Two tracts of harbor department lands were originally leased to the U. S. Army for warehouse and supply depot purposes during World War II. One piece of land, involving slightly more than 70 acres at Sepulveda Boulevard and State Street, was used by the Army Engineers. The lease was originally made in April 1943, but it was renegotiated on June 15, 1948, and the Corps of Engineers transferred its interests to the General Services Administration to be administered on behalf of the Veterans Administration. Rental of the tract was set at $2,858 per year. The arrangement was to remain in force without term, unless cancelled by the federal government upon thirty days' notice.[21] The second lease involved a site of approximately 200 acres in the railroad classification yards in Wilmington. The agreement was made originally in April 1943, and was to run without term. This has also been transferred to the General Services Administration. The federal government paid approximately $830 per month for the site at first, and $9,962.16 per year after renegotiation.[22] Several rights-of-way and small tracts of land to be used by the Army for military purposes have been leased without charge.

Long Beach

Long Beach developed its harbor for commercial uses later than did

the City of Los Angeles. The federal government assisted in that development in much the same manner as it did for the other port. As already noted, the silt-diversion project on the Los Angeles River, completed in 1923, was of prime importance to the Long Beach harbor. Extensions of the breakwater constructed after 1937 were of even greater importance to Long Beach than to Los Angeles.

In 1932 the federal government dredged the inner harbor at Long Beach to a depth of 35 feet and a width of 300 to 500 feet. In the same year it completed dredging the Cerritos Channel which connects the inner harbors of Long Beach and Los Angeles.[23]

During World War II, the Army and Navy undertook considerable development in the Long Beach harbor area. For example, Pier A Extension was constructed by the War Department as an emergency project. Pier A is owned and operated by the city as a part of the commercial outer harbor, and the municipality has continued to develop the project. The city, with the permission of the State Legislature, transferred a site on Terminal Island to the Navy for the purpose of enabling the government to develop a fleet operating base and a naval shipyard. The Navy has constructed an earth-fill, mole-type breakwater which protects both the naval base and the municipal outer harbor. In addition, the Navy has dredged a channel from the base to the Long Beach harbor.

Bridges.—To provide a new traffic artery to connect the shipyard with the Long Beach-Wilmington area, the Navy, the U. S. Bureau of Roads, and the California Highway Commission joined forces to construct a high bridge of the center-lift type over the Cerritos Channel. This bridge leaves sufficient clearance for ships to proceed through the channel. Long Beach and Los Angeles each operate bridges over the inner harbors. Regulations governing the operation of the bridges must be approved by the Secretary of the Army, who acts as the representative of the federal government in matters involving bridges and other structures which may impair or interfere with the rights of navigation.

Harbor Administration

The Secretary of the Army represents the federal interests in navigation as well as in defense. In all civilian, local matters, he has delegated responsibility to the district office of the Corps of Engineers. Recommendations regarding projects that may interfere with the federal interest in navigation are made by the district engineer's office to the Secretary of the Army. In defense matters, the Army and Navy departments conduct separate negotiations with the local harbor authorities.

In matters pertaining to flood control or to channel dredging, the district engineer's office receives authorization to conduct studies and surveys of proposed projects when Congress finally approves the projects and authorizes appropriations for their support. Before a decision is reached and before funds are authorized finally to permit construction or develop-

ment, a subcommitte of the Public Works Committee of the House of Representatives usually comes to the local area to look over the site and to hold hearings regarding the desirability of the plan.

Both Los Angeles and Long Beach administer their harbors through the administrative device of a city department. Article XI, including sections 138-145, of the Los Angeles City Charter describes the administration, rights, and duties of the Harbor Commission and Department in that city. The Department is given control over all lands, buildings, and navigable waters in the possession of the city for harbor purposes and which have been placed in the custody of the Department by the City Council. Rules and regulations of the Harbor Commission relative to rates and charges must be approved by the City Council, however. The Commission may also make rules for the control of navigable waters, tidelands, and submerged lands, and to regulate dredging. It may contract with private bodies and with other governmental units, with the consent of the City Council. Any leases or arrangements for longer than five years must be approved by the Council. The revenues received from the operation of the Harbor Department, leases, franchises, and docking permits, are placed in the Harbor Revenue Fund of the City Treasury, and may be devoted to harbor purposes exclusively.

The Harbor Department's policy has been to permit other governmental units to use harbor lands or facilities without charge when those operations are for the general welfare or for broad public purposes. When governmental units use harbor facilities for "commerce-like" purposes, payment for leases is required, but the U. S. Navy is not required to pay for landing facilities for ships' boats, though it does pay for use of facili ties for storing and shipping oil from its reservoirs to fleet oilers at a municipal dock.

Article XXI of the Long Beach City Charter places full responsibility for management of the harbor district and the municipally-owned facilities upon the Harbor Commission. This body is appointed by the City Manager and approved by the City Council. The Commission sets the rates for dockage and wharfage, determines rules for regulation of the harbor, and leases harbor lands. It manages the oil drilling operations on harbor lands also.

Proposed Redondo Beach Harbor

Redondo Beach built a municipal pier in 1915. However, this harbor did not develop commercial activities. Sports fishing and recreation came to be the main interests. In an effort to develop its harbor for more extensive small boat uses the city spent $300,000 from a local bond issue to construct a breakwater which was completed in 1939. The Federal Emergency Administration of Public Works granted an additional $245,000 for this project.

Further efforts to develop a harbor were delayed by World War II, but in 1949 the city, supported by other local interests and by county

agencies, sought to attract the federal government to undertake harbor projects that would make a small boat harbor feasible. Between 1944 and 1948 local interests had spent more than $200,000 on shoreline erosion work. On May 11, 1949, the City Council of Redondo Beach offered to deed the city's breakwater to the federal government, to construct a quay 2,200 feet in length to protect the beach area, to dredge the enclosed area and fill in sections of the beach, and to build slips for small craft. The federal government was asked to undertake additional breakwater construction and erosion work.[24] The Corps of Engineers made a study of the proposed project and recommended that the federal government support the work, contingent upon the local government carrying out its undertakings. It was estimated that the project would involve a federal expenditure of $3,475,000 and a local expenditure of $1,357,000. The project was approved by Congress in the Flood Control Act of 1950.[25] Funds have not been voted, however. Local expenditures have had to be made to cope with an unusually severe beach erosion problem, and the city has sought state assistance for this problem.

Airports

Federal-municipal relations in the development and operation of airports have been close. As commercial aviation developed, the federal government interested itself in the safety of aerial navigation. This interest extended not only to the conduct of flights, and to the maintenance of aeronautical equipment and planes, but also to installation of equipment and facilities on the ground that would offer safe opportunity for planes to take off and land. The federal interest has been based partly upon a definition of constitutional interest in interstate commerce and partly upon its concern with national defense. A large amount of the federal government activity with respect to aviation can be accounted for upon no clear constitutional grounds other than the fact that the states were tardy in providing either regulation of air safety or funds to encourage development of airport facilities. The federal government responded to the need and occupied the field.

The federal policy with respect to airports was matured and defined by the Federal Airport Act of 1946. This act was based primarily upon a plan for federal-municipal relations. Municipalities were to be encouraged to develop airport facilities. Major cities were to receive federal financial aid for this work. The federal government was to provide certain necessary services such as weather information, navigational safety aids, flight control, and the like. Los Angeles, as the large central city in a metropolitan area and one served by a municipally-owned and operated airport, was designated as one city to receive federal assistance in developing a metropolitan airport.

Los Angeles

The Los Angeles International Airport is located on the site of what

was formerly Mines Field, in a stretch of city territory that was annexed to the city in 1917, but was not developed to any extent until 1940. It has received federal assistance almost from its beginning. In 1934-35 the Works Progress Administration, a federal work relief agency, aided in the grading and laying out of the site for the expanded airport facilities.

Current federal-municipal relations are implemented through the Civil Aeronautics Administration and the Los Angeles City Board of Municipal Airport Commissioners. The municipal airport must meet C. A. A. requirements. Runways intended for aeronautical use must be constructed in accordance with federal regulations, and any changes or improvements in these facilities must be similarly approved. Facilities that do not conform to these standards cannot be approved for regular commercial airline use. The broader phases of the municipal airport program thus require Civil Aeronautics Administration approval.

Under the Federal Airport Act of 1946,[26] as amended, the Civil Aeronautics Administration was authorized to allocate funds appropriated to it for construction, alteration, and improvement of airports that could conform to standards which the Administration was authorized to determine. When an airport was sponsored by a public agency such as a municipality, the federal government undertook to participate in sharing the costs of acquiring the necessary land and constructing the landing facilities. The municipality was required to prepare plans and specifications for the airport development in order to participate in federal aid. After over-all plans and specifications have been approved, the municipality submits project requests for federal funds. When a project is approved, the federal government requires the city to show that it has sufficient local funds available to complete the financing.

It has been computed that the federal government will have paid approximately 54.14 percent of the construction costs for the Los Angeles International Airport. The federal share of land acquisition cost was originally 25 percent, but amendments to the legislation now permit the federal share to be 50 percent. In one instance at the Los Angeles Airport, where the runway had the status of an instrument landing approach, the federal government paid 75 percent of the costs of installing special equipment.

During the course of constructing a federal-aided airport project the municipal airport commission submits partial payment requests. The city cannot be paid in excess of 90 percent of the grant, however, until the final request is approved. When the project is completed, the Civil Aeronautics Administration audits the airport's accounts and makes a final report on the work accomplished. The municipal request is reviewed by both the regional and the national offices of the Administration, and either level of authority may make deletions or disallowances of small items. Subject to availability of funds, the C. A. A. may allow a 10 percent increase in payment to a municipal airport if increased costs are encountered in the course of work.

The Los Angeles International Airport is administered by an Airport

Commission which was created by charter enactment. The Commission is composed of five members appointed by the Mayor with the approval of the City Council. The charter authorizes the Commission to construct and manage all works and facilities necessary for an airport, to make rules and regulations for their conduct, and to set conditions and determine rates for the use of the runways and buildings. A large share of the city's portion of the cost of constructing and improving the airport has been provided by general obligation bond issues voted by the municipal voters. The Airport Commission is authorized by the charter to devote income from operation of the airport to improvements as well as to maintenance. In this respect the Airport Commission is semi-independent of Council control, in the same manner that the Harbor Commission is semi-independent. It has full control over the spending of revenues. The City Council, however, customarily votes an appropriation from tax funds to supplement the Airport Commission's funds for maintenance and operation.

Relations between the Airport Commission and the Civil Aeronautics Administration are conducted largely through the regional office of the latter, which is located a short distance from the Los Angeles Airport. Communications personnel and other federal employees directly connected with aeronautical safety and flight control are housed in municipal buildings at the airport.

Annual lease agreements govern the rental of space in the airport buildings. Each of these agreements is subject to renewal annually by letter. The federal government pays the city $410 per year rental for office space for Civil Aeronautics Administration and communications personnel. It pays $463.16 quarterly for rental of 3,461 square feet of space for the weather bureau in the control tower and in the airport building. Space for the immigration and customs service is provided free. Post office space has been rented on the basis of $1 per year. The C. A. A. also has paid $1 per year for a license to install aircraft landing aids on the airport.

Other Airports

A private commercial airport, operated by Lockheed Aircraft Corporation at Burbank, has developed to a point that it now ranks second in commercial importance in the metropolitan area to the Los Angeles municipal field. The Long Beach Municipal Airport, which was used for several years as an auxiliary field and as a service field for aircraft manufacturing plants located nearby, has been enlarged and developed with Civil Aeronautics Administration funds.[27] Scheduled commercial flights operate from this air field. Management of this field comes under the supervision of the City Manager.

The City of Santa Monica has owned and operated a municipal airport at Clover Field for many years. The field is used mostly for test flights from the Douglas Aircraft Corporation plant located adjacent to it, and for flights of private planes. No commercial flights operate from here. The City of Torrance and the City of Hawthorne both own and operate municipal

airports which are used as auxiliary fields and as base ports for private planes. Each of these municipal projects has been aided by the Civil Aeronautics Administration. Each has been included in the C. A. A. national plan of airports.[28]

The County of Los Angeles developed an airport at Palmdale with county, federal, and state funds. This facility was programmed by the C. A. A. as a part of the national airport plan. The project has been used as an auxiliary field when ports in the metropolitan area have been closed by adverse weather conditions. More recently arrangements were completed with the Lockheed Aircraft Corporation to use the field for testing jet aircraft manufactured at plants constructed nearby.

Recreation

The City of Los Angeles has entered into a number of lease contract arrangements with federal agencies to secure recreation facilities. Some of these are for the purpose of securing federal lands within the city limits for municipal recreation developments. Some are for camps and recreational developments on federal lands in the mountains some distance from the city. At least one contract permits the federal government to use a portion of city park land for federal administrative purposes.

City Recreation on Federal Property

One arrangement involved a revokable license, granted by the Coast Guard acting under direction of the Secretary of the Treasury, to the city for use of the Point Fermin Coast Guard Reservation as a public park. This license was first granted on May 9, 1946. Rules for the use of the reservation were prescribed by the Coast Guard. The city paid $1 per year in advance as licensee, and agreed to keep the premises in a clean condition.[29] The city also was required to agree not to interfere in any way with Coast Guard operations in connection with the property, and it was directed not to sublet any portion of the reservation.

Another recreation lease in the San Pedro area was one negotiated between the Corps of Engineers, under direction of the Secretary of War, and the city. The lease was authorized by an act of Congress and approved August 5, 1947.[30] The agreement permitted the city to use a swimming pool and 1. 26 acres of land on the Fort McArthur Military Reservation. The contract was originally for five years' duration, although the Secretary of War reserved the right to cancel prior to that term. An inventory of the property was required, and the city agreed to accept liability for damage to any of the property inventoried. The city gained use of the swimming pool for public uses during the week days, Monday through Friday, and agreed to provide maintenance of the pool seven days per week. The federal government reserved the use on week-ends for military personnel using the reservation. This arrangement was made originally to provide swimming facilities for a section of the San Pedro area that did not have other public pool facilities.

Recreation at Flood Control Dams

After the Corps of Engineers completed two of its major flood control projects in the San Fernando Valley area of Los Angeles, lease arrangements were negotiated by the City of Los Angeles for development of lands around the projects for municipal recreation purposes. Both flood control projects are in areas that have been experiencing rapid development as residential areas. Municipal park and recreational facilities were not highly developed in those sections when the agreements were made.

Under authority of the Flood Control Act of 1944, as amended, the Secretary of the Army granted a lease contract to the city for a period of forty years beginning November 15, 1947. This action licensed the city to occupy and use a portion of the Hansen Flood Control Basin for public park and recreational purposes.[31] The statute permits the Secretary to revoke the license at any time if he deems it necessary for the public peace and safety, however. Conditions in the agreement stipulate that the primary purpose of the basin is for flood control, and that therefore the district engineer of the Corps of Engineers shall exercise general supervision to ensure that the primary interest is protected. The city may not cut any timber or remove sand from the basin without the district engineer's permission. Any improvements made on the area shall be set forth in a master plan which must be approved by the district engineer. The city is permitted to do landscaping and it may use the top of the flood control dam for a roadway. The city was required to spend $50,000 within two years to complete a portion of the development for park and recreational purposes. It must continue to develop the area as funds become available from net proceeds of subleases for concessions. A substantial part of the master plan must be completed in twenty years.

The city was required to assume liability for any damage to federal property, and both the federal government and the Los Angeles County Flood Control District were divested of responsibility for injuries that users of the park development might suffer. The city also agreed to assume any taxes that might be due on the property. The municipality could terminate its part in the agreement with ninety days' notice to the federal government. In the event of cancellation or termination, however, the city agreed to restore the property to its original status. This agreement was approved by the City Council and the Mayor on July 6, 1948.[32]

A similar type of contract was negotiated between the Department of Recreation and Parks of the City of Los Angeles and the War Department on April 12, 1951, for use of the Sepulveda Flood Control Basin. Terms and uses set forth are comparable to those in the earlier lease and license.

A very different type of contract lease is one entered into by the city and the federal government for use of 10.59 acres in Griffith Park, a municipal park which was given the city originally under closely restricted terms. The land leased in this instance is the site for a flood control hydraulic model laboratory. The federal government pays $1 per year rental. The city maintains a service road to give access to the area, and reserves the right for park employees to enter the laboratory area. It may cancel the lease upon giving six months' notice in writing.

Mountain Camp Leases

For many years the City of Los Angeles has operated three mountain camps under special use permits issued by the U. S. Forest Service. Camp Seeley, which was begun in 1913, and Camp Radford, begun in 1922, are both in San Bernardino County. Camp High Sierra, which was begun in 1924, is in Mono County. The city pays the Forest Service $10 per year for the camp permits. The original agreements required the city to construct certain buildings within a given period of time. These requirements have long since been met and are no longer important. The city is required to do all in its power to prevent and suppress forest fires without charge to the Forest Service. At Camp Seeley the city assigns city employees and trucks to assist the fire protection district in the area. No money is contributed, however. The city pays property taxes amounting to approximately $40 per year to Mono County for Camp High Sierra.

Forestry and Fire Control

Los Angeles County has provided a fire protection service in the unincorporated areas of the county since 1906. The Forester and Fire Warden directs a mountain patrol division that is equipped to suppress fires on grass-, brush-, and timberlands. This department maintains fire lookout stations, constructs fire trails and fire breaks, enforces fire prevention ordinances, and maintains fire suppression crews that are on constant call. It provides a comprehensive coverage in the unincorporated areas, outside the national forest.

Federal Forest Protection

Within Los Angeles County the federal government maintains national forests having a total acreage of 647,524 acres. The Forest Service of the U. S. Department of Agriculture conducts its regular forestry work within those forests, work which includes fire protection and suppression. A regional forester, with headquarters in the federal buidling in Los Angeles, directs this program.

For many years the County Forester and Fire Warden Department and the Forest Service have had administrative agreements for mutual assistance. Major brush and forest fires in the national forest areas of the San Gabriel Mountains have been fought co-operatively by the two services on numerous occasions. On such occasions the chief officers of both organizations move into the area and direct their units in carrying out a plan of operations that is suited to the situation. Close co-operation has been shown in fire suppression work. The two organizations supplement each other in providing mountain fire protection in the area where the national forest is located. Two county fire stations are located within forest boundaries, and others are situated nearby.

Federal Aid

The federal government has been interested in developing state and local forestry and fire organizations, both legislative and administrative efforts having been devoted to this work since the administration of Gifford Pinchot in the Forest Service. Under the Clarke-McNary Act, which was adopted in 1924, the federal government undertook to assist states financially in protecting lands in which the federal government had an interest.[33] The State of California has passed on a part of its share of Clarke-McNary money to Los Angeles County for fire department work. However, because the allocation of this money to the county is determined by state, rather than by federal, officials it is discussed in connection with state-local relations (see pp. 8-10).

Watershed Protection

Federal funds for forestry and fire protection have been paid directly to the county in two programs, however. On November 23, 1943, the U. S. Department of Agriculture and Los Angeles County entered into an agreement whereby the county would provide fire protection for unreserved and allocated public lands that were not forest-type lands. The federal government pays a relatively small sum per year for this service. In 1946-47, the payment amounted to $1,139.34 and in 1950-51 it was $1,797.76.[34]

The Federal Flood Control Acts of 1936 and 1939 authorized another federal-county relationship in developing a program for watershed improvement and protection in the Los Angeles River basin. In accordance with these statutes the Department of Agriculture and Los Angeles County worked out a memorandum of understanding on January 17, 1941. This was based upon a study made by the Department in co-operation with local agencies and approved by the Secretary of Agriculture in June 1940. The study had proposed that the county should pay half the costs of installing fire control measures which would be in aid of flood prevention on non-federal lands and should purchase the rights-of-way that would be required. The federal government would pay the remaining one-half of this work, and would pay the entire cost of work on federal lands. The county's share of the fire control improvements was estimated at $112,233. The county was also to undertake certain road work in aid of flood control. It was estimated that this work could cost the county $97,455. The federal government would match that expense. Furthermore, the County Flood Control District was to pay half the costs of mountain channel improvement and debris basin construction work, and the federal government was to pay half.[35]

A supplemental agreement was worked out on April 15, 1942, providing for fire control and improvement work in the Arroyo Seco watershed, which is a tributary to the Los Angeles River. This second agreement provided for an expenditure of $23,000 to establish a radio system in the Arroyo Seco Division of the County Fire Department. The federal govern-

ment agreed to reimburse the county for half this expenditure also. A portion of the equipment was installed in 1942-43, the remainder was acquired in 1943-44, and the project was completed the following year.[36] A second supplemental agreement was made on May 28, 1948, which provided for a total expenditure of $201,466. However, this could not become operative until the funds were appropriated by Congress. In the first year that this program was implemented several items were approved. These included: two 600-gallon pumpers, two patrol pickups, one bulldozer-tractor transportation unit, nineteen mobile radio sets and transmitting facilities, and a series of fire cisterns.[37] During the next year the county received $44,248.54 from the federal government for the upstream improvement program. Much of this was for fire cistern construction.[38] No agreement was entered into for fire control work in 1951-52. However, the county submitted final claims for $10,888.51 for work completed during the year 1950-51.[39]

Direct federal-county relations in forestry and fire administration appear to have settled into a pattern of administrative relationships involving fire prevention and fire suppression in the mountain areas of the counties where the county interests and the national forest interests have common ground. Federal aid to the county fire service continues to be apportioned through the state government in accordance with established federal and state policies.

Health

The federal government has engaged in scientific research in health problems, in inspection and prevention of communicable diseases, and in conducting experimental or demonstration programs to aid in the understanding of public health measures. The U. S. Public Health Service has been concerned for years with inspection at the ports of entry to the country. The Surgeon General of the United States, the city health officer, and the county health officer, have worked toward similar ends, but seldom have their paths crossed formally. Where the federal health program has been directed toward city or county governments, it has operated through an intermediary, the State Department of Health. Traditionally, within the public health field, the three levels of government have had their own rather well-defined spheres of operation, although there has been a high degree of co-operation to gain professional objectives.

Federal Aid

The federal government makes grants for health programs under conditions specified in federal statutes and the money is then apportioned to local agencies by the State Department of Health. Four principal programs are subsidized in this manner: (1) tuberculosis control; (2) venereal disease control; (3) maternal and child health services; and (4) general health service administration. An example of the amounts granted may be taken from

the fiscal year 1952-53. The federal government allocated $756,606 to the State of California for those four programs, and the state appropriated $2,871,907.[40] The two funds were then distributed among qualified local health departments by the State Department of Public Health. In 1952-53 the estimated federal health subsidy allocated to Los Angeles County was $100,000 and the estimated allocation of state funds was $391,262.[41] In 1948-49 the City of Los Angeles received a total of $96,000 from both sources, in 1949-50 it received $104,000, and in 1950-51 the amount was $98,000. The City of Long Beach received a total of $15,381 from both sources for its health department in 1950-51, and received $15,288 in 1951-52.[42] In 1950-51, Pasadena received $22,967 from the state and $6,113 from federal funds. The total Pasadena health budget was $130,271.[43]

General Federal-State-Local Health Program

General funds have been granted to the state by the federal government for support of locally administered health programs. The scheme grew out of the venereal disease program, but was broadened to include other public health problems. The funds have been paid for salaries of certain local health department employees. The amount paid has been determined by a formula that apportions the funds available among several co-operating agencies. The amounts available vary from year to year.

Basically a city health department is financed by municipal taxes, and the county health department is financed by county-wide taxes. Local programs are determined to a considerable extent by the health and sanitation laws of the state. The state-required program is added to and refined by local ordinances and by city and county health department regulations. The extent of service that the local department offers is determined by the amount of the budget voted the department by the city council and approved by the mayor, or, in the instance of the county, approved by the county board of supervisors.

Special Programs

Examples of special programs may be illustrated by the experiences of the City of Los Angeles Health Department.

Cardial Research Survey. — Los Angeles City has participated since July 1, 1949, in a federally-financed research program of cardiac surveys. It received a sum of $20,000 per year for this. The program involved a sampling survey to develop methods for discovering early signs of heart disease. This was one of several such surveys conducted nationally. The local project involved a study of one thousand city employees chosen by a sampling technique. The group has been re-examined periodically over a five year period.

Venereal Disease Case-Finding Project. — In the spring of 1950 a fund of $8,441 was provided for employment of personnel and purchase of supplies to conduct an intensive survey of two census tracts (downtown Los

Angeles, and the San Pedro census tract) to locate venereal disease cases. The project involved public health education, combined with laboratory tests to discover the incidence of the disease within the designated areas.

Mental Health. — Federal funds were appropriated to the State Department of Health, which it in turn apportioned to local departments for support of demonstration programs in mental hygiene. This was an experimental project of a few years' duration. Funds allocated to the local department were for the purpose of paying the salary of a psychiatrist. During 1950-51, the federal government apportionment amounted to $6,923, and the city contributed $1,200. The Los Angeles City program was discontinued later.

The Nation and the Locality: A Summary

The federal government has played an exceedingly important role in assisting the development of the economy of this metropolitan area. It has had also a significant influence upon city and county administrative programs. In many instances the relationships have been direct. Local leaders and administrators have made their plans and developed their programs in company with federal officials. In some instances, however, the federal policies and regulations have been transmitted to local administrators by the state departments that have been charged with administering federal and state grants-in-aid.

The federal government has not concerned itself with the form of government for the metropolis. One possible exception to that occurred in the instance of public housing authorities. Federal aid policies for public housing called for state enabling legislation which would permit creation of integrated administrative units that would be separate from the established city or county government. In harbor administration, water supply, airport construction and maintenance, flood control, and forest fire protection, the federal government did not directly influence the pattern of local government. It sought neither to multiply nor reduce the number of governmental units in the area nor to determine their form of government. Its interest in most programs was upon administrative procedures and standards of operation.

By encouraging the City of Los Angeles to develop a municipal water system and a hydroelectric system the federal agencies unwittingly encouraged metropolitan integration. However, they were equally sympathetic to other municipal enterprises and to the Metropolitan Water District of Southern California, which is a special type of local regional organization that has produced a type of metropolitan integration. By supporting harbor development at San Pedro in preference to Santa Monica the federal government deeply influenced the pattern of metropolitan growth. However, the decision was not made on the basis of its influence on municipal or regional growth. It was made upon the premise that the site selected offered the best facilities for navigation and national defense needs. As in the majority of examples discussed, the federal-local relationship was actively sought by local officials and political leaders.

III. COUNTY RELATIONSHIPS WITH OTHER LOCAL GOVERNMENTS

Relationships between the County of Los Angeles and the cities and other units of local government within its borders constitute an important part of the fabric of government in the Los Angeles metropolitan area. Some of these relationships are formal and involve a legal pattern; others are informal and hence are more subject to continual change. Some have existed without controversy for forty years or more, others are in a formative state and are interlaced with political touchiness.

The Metropolitan County

The County as a Rural Unit

In American government traditionally the county has served as an agency of the state to perform certain functions within the local area. Those functions accordingly have been determined by state law and have conformed to a pattern that was uniform among the counties throughout the state. The county government was responsible for providing certain activities, and it made little difference whether the area served lay within the boundaries of an incorporated city or not. The result was that the typical county had few formal relationships with other units of local government. The typical pattern of local government, until recent decades, found each unit performing its own functions within its own area of jurisdiction without much regard for the existence of other local units and their programs.

Some aspects of the traditional pattern are to be found in Los Angeles County. The County Tax Assessor evaluates property, at least for county tax purposes, throughout the county, inside as well as outside cities. The County Clerk files court transactions and other papers regarding matters that may arise anywhere in the county. The charities department provides aid to indigents living within municipalities as well as to those residing elsewhere in the county. The Coroner goes into all sections of the county to investigate deaths where there has been no attending physician.

In many other aspects of county government, Los Angeles County shows an acute awareness that other local units of government exist within its borders and that their functions have a relationship to county functions. In one type of situation the county has withdrawn its operations from incorporated cities, and thus has permitted municipal officials to perform functions similar to those carried on by the county without duplication. Although the Sheriff is elected by the voters of the county and is charged by state law with law enforcement throughout the county, he and his deputies usually do not make arrests within an incorporated city. If an arrest is to be made, the Sheriff arranges for a municipal policeman to accompany the Deputy Sheriff. A different type of example exists in library work. The county library is permitted to serve residents of both incorporated and unincorporated territory, but if an incorporated city establishes a public library,

the county withdraws its branch unit, unless specifically offered a contract by the city council to operate the municipal library. Likewise, the County Health Officer may provide health services within cities as well as in unincorporated territory, but if a city appoints a city health officer, that officer supplants the county official within the municipal area. Inasmuch as forty-five* cities have incorporated within Los Angeles County, the relationships between the county and its cities have become highly complex.

The County Charter Makes a Difference

Los Angeles County departed very sharply from the traditional pattern of county government in 1912, and has continued to follow that line of difference ever since. It has evolved into a unit of government that has many characteristics of a metropolitan city as well as a county. The date identified with this change follows the adoption, in 1911, by the California voters of a constitutional amendment that extended to counties a limited amount of home rule. Los Angeles County voters promptly elected a board of freeholders to write a county charter, and then adopted the charter that was proposed. Although it cannot be said with accuracy that the charter permitted the county to undertake functions that had not been authorized for other counties by the State Legislature, it did permit Los Angeles to improve the structure of county government. As the population and wealth of the county grew in the period after 1913, the charter gave the county the necessary freedom to work out locally the machinery and procedures that were needed to meet the challenge of local problems.

Municipal Services for Counties

The same constitutional amendment that authorized county home rule was amended in 1914 so that counties could perform municipal functions for cities within their territory under contract. This enactment did not exactly mark the beginning of county contracts with cities, but it did clarify the legality of this method of conducting county-city relations. Actually, general legislation had been in the statutes, authorizing certain types of county-city contracts, since 1891. A small number of contracts had been entered into by Los Angeles County and its cities prior to 1911.

California had permitted its counties to depart from the traditional pattern of county government in an important respect even before permis-

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*It should be noted that since the completion of this monograph, the community of Lakewood has become incorporated as a city of the sixth class. The reader, in considering the number of municipalities as well as the amount of local governmental co-operation, should be aware that there are now forty-six cities, and that Lakewood is taking advantage of the opportunity to delegate certain functions to the county and to contract and cooperate with its surrounding jurisdictions in the rendering of its municipal services.

sion was given to develop charters. A number of general statutes had been adopted authorizing counties to perform functions that had been identified more with municipalities than with counties. More of these functions were added to the county list after 1911. Many of these functions were to be performed in a manner that would benefit either the entire county or such large portions of it that financing of the function by county taxes would be justified. Examples of these are county parks and recreational areas, lifeguard services, museums and art schools, and libraries. Examples in the law enforcement field include licensing and inspection of building construction, land use planning, zoning, and subdivision control. Other activities that the counties were authorized to undertake were deemed to benefit specific properties rather than the county public as a whole, and therefore were to be financed by special district taxes. Examples of these functions are those performed by sewer maintenance districts, water districts, and fire protection districts. The latter provide municipal-type structural fire protection facilities.

Constitutional restrictions made the statutes extending county powers apply to all counties in the state, rural as well as urban. Although the pressure for adoption of these statutes undoubtedly came from such urban counties as Los Angeles and Alameda, none were specifically mentioned. There was no question but that this was general legislation, and not special enactment. Nevertheless, Los Angeles County availed itself of the permission given and undertook a large number of the municipal-type functions. As the population and wealth of this county grew, the county government was able to respond to the needs of the developing areas. The county's development of municipal-type functions was a significant preface to the growth of county-municipal relationships.

Expansion and Development in Los Angeles

The period of years that extended from 1910 to 1930 was a time of rapid development of local government in the Los Angeles area. The flow of population into the region, large as it had been prior to the first World War, grew to enormous proportions after 1918. Realty development was active almost to the point of frenzy. Existing cities absorbed much of the development, but many suburban communities grew as well. Twenty-one new cities were incorporated during that period. Communities like Bell, Beverly Hills, Burbank, Culver City, El Segundo, Hawthorne, Lynwood, Manhattan Beach, Maywood, Montebello, San Fernando, South Gate, and Torrance were at the edges of the City of Los Angeles. They had fought to prevent that city from annexing them and had incorporated to preserve their independence. Signal Hill had incorporated to prevent inclusion in the City of Long Beach, and San Marino, San Gabriel, and Monterey Park had incorporated to prevent their older neighbors, Pasadena and Alhambra, from enveloping their territory. When these intercommunity struggles induced the incorporation of new, relatively small cities, it was not surprising that the new municipal organizations turned to the county government

for assistance with certain functions (see Table V). Almost every one of these new cities contracted with the county for assessment of property for tax purposes and for collection of city taxes. Few of these cities ever performed those activities as municipal duties. Few of them appointed a municipal health officer; they turned instead to the county health department. Similarly, few of them undertook a municipal library. In several instances a county library branch was operating in the community at the time incorporation as a city was completed. It was natural that the city would seek to continue the service.

Sewage treatment and disposal could not be performed adequately by small cities. Also most of the suburban cities were clustered together and there were no sites remaining for sewer farms or treatment plants. It was a logical move that some form of co-operative action should be taken. In 1923, the Legislature authorized the creation of county sanitation districts which might include city territory and unincorporated communities. City and county officials were to be associated in the governing boards of such districts. In 1926, the sanitation districts in Los Angeles County agreed to establish a central administration and to construct and maintain a unified trunk sewer system. Although this unified system remained separate from the county government, the County Board of Supervisors exercised a considerable amount of influence, both in the creation of new districts and in the determination of policies of existing districts.

Four Kinds of County-City Relations

Los Angeles County's relationships with local governments within its territory can be grouped for purposes of discussion into several categories. One category arises from mutual agreements that have been entered into by the county and certain cities, with the result that the county performs services for the cities. A second group of relationships involves administrative understandings in which the city and county department heads who are concerned with a certain function agree on co-operative efforts. In these situations, often, the County Board of Supervisors and the city council are aware of the agreement or modus operandi, but they are not called upon to give it formal approval. Another category arises from the county's exercise of its role as an agent of the state. In the capacity of agent the county is responsible for maintaining the superior courts, municipal courts, and justice courts. This responsibility brings the county government into contact with local leaders and municipal officials. A fourth type of relationship arises where the County Board of Supervisors constitutes the governing body of a special district in which cities have membership or in which the district has close relations with city officials.

Agreements and Contracts

Tax Assessment and Collection

The earliest form of city-county contractual relations undertaken in

the Los Angeles metropolitan area involved the assessment of property for tax purposes and collection of property taxes by the county government for the municipalities. The State Legislature first authorized these arrangements in 1891, and Los Angeles County entered into its first such arrangement in 1907, with the City of La Verne. By 1952, forty-two of the forty-five cities within the county had made similar arrangements. Only the cities of Pasadena, Long Beach, and Arcadia continued to perform these functions for themselves.

History and Legal Basis. — The 1891 statute provided the original legal basis for the contractual relationships in tax administration.[1] However, all but one of the contracts in Los Angeles County are based upon an 1895 statute; none are under the terms of the earlier act.[2] The 1895 statute authorizes any city, other than a city of the first class, to enact an ordinance to transfer the assessment of property to the county assessor and the collection of taxes to the county tax collector.* A city that wishes to transfer these functions is required to file a certified copy of the ordinance with the county auditor on or before the first Monday in February following passage of the ordinance. This statute also permits a city to contract with the county government to have the county treasurer perform the duties of the city treasurer. None of the cities of Los Angeles County have made use of this latter provision, however.

When a city contracts with the county for tax collection, the county becomes responsible for the foreclosure and sale of property that is delinquent for nonpayment of city taxes as well as for nonpayment of county taxes. When property has been sold by county tax officials for redemption of taxes, the money obtained is apportioned by the county auditor to the municipality in the proportion which the tax due the city bears to the total tax for which the property was sold.

The 1895 statute has been amended once with respect to the method to be used in determining the compensation which the county may require for performing municipal tax work.[3] Compensation may be fixed by agreement between the county board of supervisors and the city council, although the statute, as revised, sets the maximum compensation at an amount equal to one percent of the first $25,000 collected and one-fourth of one percent of all sums collected over that amount.

The 1927 amendment contemplated that a city and the county would negotiate a compensation agreement and draw a formal contract. No contracts were drawn in this county until 1940, however. Each city merely deposited a copy of its ordinance with the County Auditor. In 1940 the question of a formal agreement was brought to official attention when the newly incorporated city of Palos Verdes Estates negotiated a written contract with the county. The rate of compensation agreed upon in this instance did not differ from that paid by other cities, however. Shortly after this written

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*In 1895 only San Francisco was a city of the first class. It was also a consolidated city-county.

contract was filed, the County Counsel advised the Board of Supervisors that contracts should be negotiated with each city served by the county. A model agreement form was drawn and circulated among the cities. Ten cities approved the contracts, but only the agreement adopted by the City of Alhambra was put through the complete process of being adopted by the county board and filed. Attention of county and city officials alike was soon focused upon activities connected with the war effort, and the plan for negotiating written agreements to govern the tax work was dropped. Nonetheless, the administrative arrangements continued without interuption.

Los Angeles City's Contract. — Peculiarity of the wording of the 1895 statute raised doubts as to whether the City of Los Angeles could contract for tax administration. In 1913 a separate act was adopted to clarify this problem. The earlier act had exempted cities of the first class from its jurisdiction. When Los Angeles had grown in population exceeding that of San Francisco, the Legislature had classified Los Angeles as a city of class 1-1/2. Furthermore, in the period between 1895 and 1913 many of the larger cities had adopted home rule charters. Some officials in Los Angeles, who were possibly opposed to an agreement with the county, raised doubts as to whether Los Angeles could qualify under the early statute. To meet these objections, the Legislature authorized cities having freeholder charters to contract with the county in which they were located for the assessment of property and collection of taxes. Freeholder cities were given the option of determining their contract policies either by adding a section to the municipal charter, by adopting an ordinance, or by adopting both. The provisions of the 1913 law are similar in other respects to those of the earlier act. The City of Los Angeles is the only municipality in this county to make use of the later statute.[4]

Other chartered cities in this county may use either the 1895 statute or the 1913 one, but each has chosen to operate under the former. Eleven chartered cities have adopted charter sections permitting the city council to make contracts with the county for tax assessment and collection, but in no instance does a city charter direct a council to do so.

Conditions set forth in the Los Angeles City ordinance differ in several respects from those concerning other cities. One difference is that the Los Angeles ordinance sets a flat rate of compensation, the sum of $22,350 per year, to be paid the county in quarterly installments. This is a much lower rate, in proportion to the volume of taxes collected, than the other cities pay. A second distinctive feature is that this ordinance directs that the County Assessor shall evaluate property in Los Angeles at 50 percent of the market value when assessing for municipal purposes. This is the only municipal directive to the County Tax Assessor. It has been the custom of most assessors throughout the state for many years to assess at this ratio, although state laws direct the assessors to value property at full value.

Another unique feature in the Los Angeles City program pertains to

the administrative details. It requests the County Tax Collector to remit to the city daily its portion of the tax collections. The arrangement with the other cities permits the county to distribute tax collections to the cities at fixed intervals, depending upon the type of property from which the tax money is collected. In all instances other than Los Angeles, the county withholds the amount of its compensation from the tax funds distributed to the cities. The City of Los Angeles reimburses the county quarterly for the cost of administration.

Results of County Administration. —Assessment of property for municipal and county tax purposes by the county clearly eliminates duplication of work. State law requires counties to assess property regardless of whether cities or other local governments contract with the county. (See page 89 for a brief discussion of county tax assessment and collection for special districts.) If a city conducts its own assessment work, it sets valuations on the same properties as the county, thus duplicating the county's work. In some instances before a city transferred its assessment work to the county, the city clerk, who is often the city assessing officer, obtained county assessment figures from the county assessor and set a city assessment by the simple expedient of adjusting the county figures in accordance with municipal policies. In small cities where no field assessors were employed to make property valuations, the tactic of borrowing the county assessment figures was the only practical way in which the clerk could carry out his responsibility.

State law, compiled in the Revenue and Taxation Code, specifies the types of property that the county assessor shall appraise. Tangible property, which includes land and buildings, furniture, equipment, and commodities can be assessed more easily than some other types of property. The county assessor, with a large staff which includes experts in various special fields of appraising and a large and detailed record system, can offer many advantages over a smaller municipal department. If, however, the city retains the assessing function, tangible property is usually more easily valued by a city assessor than the other types of property. Most residential and commercial properties present no complicated problems. Some industrial tangible property presents highly technical problems. Intangible personal property, which includes stocks, bonds, mortgages, and debentures, presents a difficult problem to even the most effectively organized tax assessment office. Assessment of a type of property known as a "possessory interest" is quite difficult and requires the knowledge and skill that can be provided by a specialized staff.

Another function in the assessing process that the county performs for the contracting cities, and thereby eliminates duplication, is equalization of assessments. State law requires county boards of supervisors to sit as boards of equalization to hear appeals from property owners from the appraisals made by the assessor. The board may raise or lower any assessment on the local roll to equalize the assessment with that on similar property. City councils perform a similar function in those cities where

the county does not do the municipal assessment. However, in such instances the county board must sit to equalize assessments for county tax purposes also.

After assessments have been equalized, the county auditor takes the valuation of county-assessed property and the valuation of public utility property, which is prepared by the State Board of Equalization assessors, and computes the tax valuation for the county and for the municipalities having agreements with the county. The city councils have two weeks within which to set the tax rates that are deemed necessary to supply proposed city expenditures.*

Tax billing and tax collecting are accomplished for the forty-two cities that contract with Los Angeles County by means of a consolidated tax bill prepared and mailed by the County Collector's office. County, municipal, and special district taxes are itemized on the bill so that each taxpayer may understand what portion of his taxes he is paying to each governmental jurisdiction. He receives the total tax bill in one statement and he pays the bill to one collecting office. The County Tax Collector receives all payments made on the consolidated tax bills.

Under state law, the tax collector may seize delinquent unsecured property and auction it for taxes. The resources of a large county tax collector's office for enforcement of this type of tax are much greater than those of a city. The Los Angeles County Tax Collector maintains an extensive record of uncollected taxes on unsecured property and carries on a persistent follow-up program which has succeeded in collecting a large portion of these delinquent tax claims.

Collection of delinquent taxes upon secured property can also be handled much more effectively by the county than by a single city. This type of property consists of land and buildings or improvements. Under state law, taxes upon secured property are regarded as a lien upon the property until paid. Taxes on this type of property must be paid by April 20, but if allowed to go delinquent, a penalty begins to mount. After a two-month waiting period, the tax collector may declare the property delinquent for taxes and proceed with a transaction known as "selling to the State." This is a paper transaction. Within five years after a piece of property has been "sold to the State" for taxes, the original owner may redeem it by paying the delinquent taxes and penalties. After five years, however, the tax collector may proceed to dispose of the property to secure such revenue as possible, up to the amount of taxes and penalties due.

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*Municipal tax rates are subject to tax rate limitations. General state law sets a maximum of $1 per $100 of assessed valuation for general law cities, although certain special taxes are permitted in addition. All chartered cities in Los Angeles County have set a tax rate limit for themselves in their city charters. All except Los Angeles have set $1 per $100 assessed valuation. Los Angeles has fixed the maximum at $1.25, although certain expenditures are exempt from this computation.

TABLE II. — CONTRACTS FOR ASSESSMENT AND COLLECTION OF TAXES

City	Payment for 1950-51
Alhambra	$ 2,260.79
Avalon	291.92
Azusa	656.83
Bell	528.02
Beverly Hills	2,344.24
Burbank	4,493.07
Claremont	359.44
Compton	1,611.44
Covina	420.90
Culver City	1,596.50
El Monte	541.17
El Segundo	1,516.79
Gardena	394.65
Glendale	3,440.69
Glendora	328.83
Hawthorne	659.35
Hermosa Beach	585.31
Huntington Park	1,313.32
Inglewood	2,162.16
La Verne	289.82
Los Angeles	22,627.17
Lynwood	850.14
Manhattan Beach	948.53
Maywood	419.34
Monrovia	1,065.22
Montebello	1,044.48
Monterey Park	849.13
Palos Verdes Estates	309.15
Pomona	1,905.37
Redondo Beach	1,456.92
San Fernando	665.63
San Gabriel	902.59
San Marino	1,162.37
Santa Monica	5,077.02
Sierra Madre	425.85
Signal Hill	736.36
South Gate	1,633.73
South Pasadena	1,132.50
Torrance	1,701.01
Vernon	995.18
West Covina	224.00
Whittier	1,306.68
	$73,333.61

California law requires close co-operation between the county and any contracting cities in disposing of secured property for delinquent taxes. The county tax collector may auction delinquent property at a public sale, after receiving permission from the state controller, the county supervisors, and the city council of any city within which the property is located. If the city council wishes to obtain the property for street improvements or other public purposes, it may bid in the property for the delinquent taxes and take title to the property itself. If it does not wish to bid on the property, it may consent to a tax sale, and the tax collector auctions the property to other bidders. Money received from such delinquent tax sales is then apportioned to the county and city in proportion to the amount of taxes due on the property.

Cities that do not contract with the county must conduct their own tax sales. A person who buys tax-delinquent land from one of these cities must clear city and county taxes separately before he may receive title to the land.

Library Administration

California permits its cities to arrange for the county library system to serve city residents, or to provide a municipal library. The plan of functional consolidation has been in effect since 1913.

Three Types of Consolidation. --Three types of administrative arrangements are now permissible under the state law. One plan permits an incorporated city to contract with the county to operate the city library facilities. Under this method the county librarian submits a tentative budget each year to the city council to cover the costs to the county of operating the city library. Specific details of the agreement are set forth in a contract that is signed by the chairman of the county board of supervisors and the chief executive of the city.

A second method provided by the 1911 statute permits the county to provide library services within any incorporated city that does not have a public library under city administration. Under this plan the county librarian may administer library services much in the same fashion as they are conducted in the unincorporated portions of the county. Property owners within the city are subject to the special county library tax which is levied upon property within the areas served directly by the county. The county provides whatever buildings and facilities are required to service the area, employs the staff, and distributes the books from the general county library resources.

A third plan involves creation of a library district which may include unincorporated territory as well as an incorporated city. A library district may then contract with the county for library services.

Each of these alternative systems is based upon the idea that participation is voluntary; hence, the arrangement may be terminated by action of either party. A contract may be dissolved at the request of either the city, district, or county. The law also provides that the city or district

"may at any time notify the board of supervisors that such city, town, or library district no longer desires to be a part of the county free library system . . ."[5] Participation ceases at the end of the fiscal year, and county library taxes are no longer collected within the withdrawn area.

Los Angeles County began serving certain of its cities in 1913, and within the first three years twenty cities joined the county free library system. Between 1921 and 1926 three more joined.[6] In ten instances the community had been served by a county library branch before the area was incorporated as a city. Twelve were incorporated cities at the time they joined the county system.

Plans in Operation. — In 1952, there were twenty-two cities receiving service from the county library system. Compton, Culver City, Inglewood, and Torrance were chartered cities, whereas the remaining eighteen operated under the general law for sixth-class cities.* Twenty of the cities were fully integrated with the county system. Two, Monterey Park and Torrance, contracted with the county for operation of the city library. Another municipality, Palos Verdes Estates, has been served for several years by a library district which, for a period of several years, contracted with the county. This contract was dropped in 1946 and the district undertook the community service. The accompanying table indicates the population of the cities within the county system (see Table III).

The number of cities co-operating with the county varies from time to time, although in the past twenty years there have been relatively few changes. Most of the additions and withdrawals took place in the early years. Four cities that were originally in the county system withdrew when they were consolidated with the City of Los Angeles and ceased to exist as separate municipalities. These were Eagle Rock, Tujunga, Venice, and Watts. Eight others have withdrawn and established independent city libraries. These include Arcadia (withdrew in 1919), Signal Hill (1925), Beverly Hills (1929), El Segundo (1930), San Marino (1933), Redondo Beach (1937), Burbank (1938), and Vernon (1939). Signal Hill and Vernon are both highly industrialized cities with high tax value and exceedingly small population. Both were contributing more to county funds by taxation than they received in library services. Now that they have their own libraries they provide very limited services. Beverly Hills and San Marino are well-to-do residential areas that desire to have local control of their library facilities and can afford a good standard of library service. Redondo Beach had an independent library before the co-operative system was established. It maintained a contract with the county between 1933 and 1939 as an economy measure, and later it returned to independent operation. An analyst says of the Burbank withdrawal:

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*Cities are classified by population in California. The sixth class comprises almost all nonchartered cities.

> Burbank officials wanted service, under contract, of the same quality as other areas, although the contract involved a contribution considerably less than the tax levy then in effect would have produced.[7]

The Burbank branch of the County Library was one of the first branches established. As the city grew in population and wealth, the desire for local control of library policies prevailed and led to a withdrawal of the city from the county system.

The five largest cities in the county have never joined forces with the county for a library-operating contract. Although the cities that are members of the county system were all small when the system began, seventeen now have population in excess of 10,000. South Gate, Compton, and Inglewood are each over 45,000. Purely local attitudes and conditions seem to determine whether a city stays within the county system or withdraws. The pattern appears to be fairly well crystallized.

TABLE III. — CITIES SERVED BY THE COUNTY LIBRARY SYSTEM, 1952

City	1950 Population	Year County Branch Established	Year City Incorporated
Cities Integrated with the County System:			
Avalon	1,506	1914	1913
Bell	15,430	1913	1927
Claremont	6,327	1914	1907
Compton	47,991	1913	1888
Culver City	19,720	1915	1917
El Monte	8,101	1913	1912
Gardena	14,405	1914	1930
Hawthorne	16,316	1913	1922
Hermosa Beach	11,826	1913	1907
Huntington Park	29,450	1913	1906
Inglewood	46,185	1913	1908
La Verne	4,198	1914	1906
Lynwood	25,823	1915	1921
Manhattan Beach	17,330	1915	1912
Maywood	13,292	1921	1924
Montebello	21,735	1914	1920
San Fernando	12,992	1916	1911
San Gabriel	20,343	1915	1913
South Gate	51,116	1924	1923
West Covina	4,499	1915	1923
Cities Having Contract with County System:			
Monterey Park	20,395	1915	1916
Torrance	22,241	1914	1921

Public Health Administration

Los Angeles County performs the public health work for forty of the forty-five municipalities within its limits. This co-operative program originated shortly after the establishment of the county health department in 1910.*

The Start of the Program. — Two cities, Glendora and Arcadia, arranged to transfer their health work to the county in 1918, although specific state law authority had not been adopted at that date. Both cities appointed the County Health Officer as City Health Officer and agreed to pay expenses for city service. At that time only the cities of Los Angeles, Long Beach, and Pasadena had full-time professional health staffs. Most of the smaller cities had part-time officers or had arranged with private physicians to perform city work on a fee basis. Some cities had no formal program.

The 1919 Contract Law. — In 1919, the Los Angeles County Health Officer and the Board of Supervisors conducted a number of conferences to discuss legislation which might authorize county-city co-operation. As a result of this leadership, the Legislature adopted a statute which permitted any county to contract with a city for performance of all public health functions within the city by the county health officer. Contracts could provide for medical care of the indigent sick. Compensation to the county for the work would be governed by the terms negotiated in the contract.

The cities of Pomona and La Verne became the first to negotiate contracts with the county. Eight more municipalities negotiated contracts in the next three years. In 1923, eight additional cities contracted with the county for laboratory tests in diagnosis of communicable diseases, testing and grading of milk, and testing of water. This arrangement arose because the state, which had previously performed this service for these cities, closed its laboratory in Los Angeles because of reduced appropriations. Twenty-six more cities contracted with the county for health service administration between 1923 and 1933.

During the period in which this contract program was initiated, the County Health Officer conducted an aggressive program to persuade the cities to consolidate with the county by contract. Negotiations and conferences were frequent, and the county department's program was oriented toward developing a county-wide health program. Most of the smaller and medium-sized cities saw the contract plan as an advantage, the opportunity to obtain the services of a large, professionally staffed department at a cost that was usually less than the city could operate its own department. Furthermore, city departments were not yet well established. The chief opposition to the contract system came in those few cities where the city health officer opposed the merger.

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*The county's program was not a very substantial one until 1915. It had had been established in 1910, but languished until after the reorganization of the county government under the charter in 1912 and 1913.

The 1935 Revision. —The county-city health contract law was amended in 1935 to alter the intergovernmental relationships somewhat. Leadership for the formulation of this new policy came from within the cities that already contracted with Los Angeles County for health services. The prime objective of the municipal leaders was to transfer the cost of health administration from city tax rates to the county tax rate. Under this new law a city council could adopt a resolution or ordinance and transfer to the county health officer the authority to enforce within the city all orders, quarantine regulations and rules of the State Department of Health, and all state health laws. The county would assume the cost of this work without compensation from the city. The arrangement would continue indefinitely until the city terminated it. Cities could also contract for enforcement of their health ordinances, but they were required to compensate the county for the full cost of this task.

Immediately after the adoption of this legislation, the little city of West Covina transferred to the county health system. Signal Hill and South Pasadena transferred within the next five years, and the newly incorporated Palos Verdes Estates joined soon after it was set up in 1939. This completed the growth of the county system. Remaining independent are Los Angeles, Long Beach, Pasadena, Vernon, and Beverly Hills.

The County Health Department had decentralized much of its work to thirteen administrative districts. These districts comprise city and unincorporated territory. District health centers, housed in county buildings, are located in several cities, including: Alhambra, El Monte, Compton, Glendale, Inglewood, Monrovia, Pomona, Azusa, Huntington Park, San Fernando, Santa Monica, Torrance, Whittier, Signal Hill, South Gate, Vernon, and West Covina.

Thirty-nine cities contract with the county for enforcement of municipal health ordinances, in addition to receiving the general county health service. Only Palos Verdes Estates has no contract. Twenty-one of the thirty-nine municipalities contract also for rodent control work. Fees for ordinance enforcement range from $1 per year to $723, depending upon the quantity of work and number of ordinances. Rodent control involves somewhat larger sums in certain instances, depending upon the amount of work to be done. In no case has rodent control work cost a city over $3,500 per year.

Personnel Administration

Los Angeles County has had a formal personnel program since 1913. The county charter which went into effect on that date created a Civil Service Commission and established the basic rules that were to control employment practices of the county government. The county service has grown to comprise more than 28,000 employees in the classified service. Almost all positions in county employment are under civil service.

In 1950, there were thirty-two cities in the county area that had a civil service system or some recognized personnel program.

Contracts. --In 1935, the State Legislature authorized any city in the state to contract with any other city, county, or state department for the performance of personnel services.[8] Two years later the Los Angeles County Civil Service Commission amended its rules to provide a policy with reference to serving cities that wish to contract with it:

> . . . Said Commission shall perform such functions and duties for municipalities of the County as are authorized by contract between the County of Los Angeles and said municipality made pursuant to Chapter 48, Statutes of 1935.[9]

In 1953, there were seventeen cities that contracted with the county for personnel services.

Each of the contracting cities has adopted an ordinance controlling the co-operative arrangement. Four chartered cities and one general law city have ordinances which permit their city council to arrange a contract with the county or other jurisdiction. The other municipalities have phrased their ordinances to make it mandatory for the council to contract for specified personnel services.

The contracts vary widely in the extent of personnel services arranged for. All seventeen obtain examination services, whereas nine contract for complete personnel service.

Variation in the contract program is caused not only by differences in the amount of service called for in the contract, but also by the organizational and procedural differences contained in the several municipal ordinances. A few cities, of which Maywood is an example, designate the County Commission as the municipal personnel board to hold hearings on dismissal cases, and authorize the Commission to reinstate an employee if the disciplinary charges are found insufficient or unwarranted. These cities also authorize the County Commission to promulgate eligible lists after examinations have been conducted by the County Civil Service staff.

San Fernando represents a slightly different type of program. It recognizes the County Commission as the municipal hearing board in dismissal and suspension cases, but the Commission reports its recommendations to the City Council. The Council may override the Commission's recommendations by vote of an extraordinary majority of four-fifths. The Commission's staff performs all examination work for this city, although the city has contracted with other organizations for classification and wage studies.

Burbank is the largest of the contracting cities. It has a municipal personnel board and a small technical staff. Therefore, it calls upon the county chiefly for examination work and for major classification studies. Results of examinations are reported by the County Commission to the Municipal Personnel Board and the latter promulgates eligible lists. All routine technical work is conducted by the local staff.

Among the services that the county provides any contract city that wishes it is the preparation of rules to govern personnel transactions to

be adopted by the local body. Information and technical advice regarding various personnel policies and practices is available regularly also.

By far the largest amount of work performed by the county on a contract basis involves the preparation and conduct of examinations. All of the cities having contracts receive this service. In performing this function, the county staff performs almost all duties connected with recruitment and examining. A number of the cities, particularly the smaller ones, maintain only a personnel clerk at the city hall. This person publishes the bulletins prepared by the county staff announcing examinations, and accepts applications from local residents. In all instances the county sends examiners to the city to plan, prepare, and conduct examinations. Every effort is made to set the qualifications and standards of the examinations at the same level as that maintained for county departments. Qualifications for positions advertised in contract cities compare closely with those announced for similar positions in the county service.

Examinations are constructed and graded by the county personnel technicians. Where the city has no personnel board, the county staff hears appeals on examination results for the city, and thereafter the County Commission promulgates the eligible lists under the rules adopted by the individual city. In those instances where a municipal commission exists, appeals ultimately reach the local commission. The county's policy has been to retain control of the examination work throughout all the technical and policy stages in order to insure uniformity of standards in its work.

Nine of the contract cities include position classification in the list of services. The county staff makes classification studies in these instances to enable the establishment of a classification plan in the beginning, and to make changes as duties and responsibilities change. Both original classifications and classification changes must be approved by the municipal body before becoming effective.

The county has joined with the City of Los Angeles and the Los Angeles City School District for several years in the conduct of an annual joint salary survey.[10] These co-operating jurisdictions agree upon a number of classes of positions that are comparable, and, using these classes as bases for study, attempt to determine the prevailing rate of wage paid in the community to employees doing work comparable to the sample classes. Final results of this survey are made available to those contract cities that can make use of it, to aid them in determining salaries for their employees. Salary determinations are made, however, by the local legislative bodies.

The county conducts its contract work for personnel services very much as though each city were another county department. No attempt has been made to set up a separate staff of personnel technicians to handle contract work. Occasionally examiners have been assigned to contract cities' work exclusively for a period of time. In general, however, examiners are given contract city work along with assignments to county departments. The classification staff serves contract cities in the same manner as it works with county departments and county special districts.

Finances. — Funds received from the contract cities in payment for the contract work are allocated by the County Board of Supervisors to the county general fund. Appropriations for the support of all County Civil Service Commission work are voted annually by the Board of Supervisors from the county general fund. In considering the Commission's budget, the work load, including that undertaken from the contract cities, is taken into account. Thus, the question of special or ear-marked funds and special staffs is avoided. In general practice, however, the additional work load resulting from contract services is not fully credited to the Commission. Hence, there is no strong incentive to the Commission to encourage additional cities to seek its services.

The county tried several methods of charging for contract personnel services before settling upon the present method. For a time, cities were charged for examination services according to the number of applicants per year. The present system of standard charges has been in effect since 1941. Under this plan costs are based upon an estimate of the prorated cost of personnel services per employee in the county system. Each contract city pays in proportion to the number of employees it has in its classified service. For example, cities having a standard contract for full personnel service are charged as follows:

1. $27.50 per year per employee in the city's classified service, up to the first twenty-five employees;
2. $17.50 per year per employee after the first twenty-five, up to and including one hundred employees;
3. $10.00 per year per employee for all employees over one hundred in number.

Cities pay their contract sums to the County Treasurer at the end of the fiscal year.

Results. —General satisfaction with the contract system has been expressed by the cities.[11] The number of contracting cities has grown steadily with very little turnover. The system began in 1936 with Hawthorne as the first city. Hawthorne dropped out in 1949 and elected to conduct its own examination work, although in 1951 it renewed its contract with the county. In 1951 Monterey Park and Culver City dropped their contracts after amicable discussions, whereas Whittier and Huntington Park negotiated contracts for the first time. In the latter part of 1953, Signal Hill requested a contract and was accepted.

In the first five years after contracts for personnel work were authorized, the number of contracting cities rose to ten. By 1953 it had risen further to seventeen. The cities and their average number of employees are shown in the following table.

The county is by no means the only agency legally or technically qualified to perform personnel services for cities or other local governments by contract in this area. The California State Personnel Board maintains a special staff of technicians to perform technical personnel services

for cities, counties, school districts, or other local units. It serves a number of local governments in the Los Angeles area. Private consulting firms also have performed classification and pay studies, and provided examination work on contract. In 1950, twenty-four of the thirty-two cities in Los Angeles County that had some form of civil service or personnel program contracted for at least some portion of their personnel administration.

TABLE IV. — CITY CONTRACTS WITH LOS ANGELES COUNTY FOR PERSONNEL SERVICE, 1952-53

City	Service	Employees	Total Charges
Arcadia	Examinations only	133	$ 1,265.00
Bell	Complete	55	1,212.50
Burbank	Complete	756	8,560.00
Gardena	Complete	38	915.00
Hawthorne	Examinations only	96	1,064.00
Huntington Park	Examinations only	173	1,465.00
Inglewood	Examinations only	287	2,035.00
Lynwood	Examinations only	93	1,037.00
Manhattan Beach	Complete	123	2,230.00
Maywood	Complete	45	1,037.50
Montebello	Examinations only	151	1,355.00
Palos Verdes Estates	Complete	17	467.50
Redondo Beach	Complete	123	2,230.00
San Fernando	Complete	88	1,790.00
South Gate	Complete	167	2,670.00
Torrance	Examinations only	238	1,790.00
Whittier	Examinations only	197	1,585.00
			$32,708.50
Signal Hill (October 1, 1953)	Examinations only		

Roads and Public Works

The county government has a continuing policy to assist cities in numerous public works programs that are of common interest. Contracts are worked out to govern many of the arrangements. When cities desire inspection of road work, street sweeping, painting of traffic stripes, or bridge maintenance by the county road department, arrangements are made on a contract basis.

The Industrial Waste Division of the County Engineer's Department enforces city industrial waste ordinances for Azusa, Huntington Park, and Lynwood under contract. This division, in eliminating water pollution by industrial plants, works both within cities and unincorporated territory. An

Assembly Interim Committee estimated in 1952 that half the cities of the county were benefited by this service.[12] These were the cities of Hawthorne, Vernon, Los Angeles, La Verne, South Gate, Pasadena, Inglewood, Pomona, El Monte, Torrance, Montebello, Azusa, Long Beach, Beverly Hills, Arcadia, Whittier, Alhambra, Compton, Glendora, Gardena, Covina, and Huntington Park. This work did not involve county-city contracts, although it amounted to county work redounding to the benefit of cities as well as unincorporated areas.

The County Surveyor has performed a variety of surveys in cities without charge to the municipal governments. These include geodetic control surveys in Los Angeles, Burbank, Glendale, Huntington Park, Bell, Maywood, Pasadena, Alhambra, Long Beach, San Fernando, Compton, Lynwood, Arcadia, and Sierra Madre. Topographic survey and map revisions have been performed for all incorporated cities. Beach erosion surveys have been conducted in Los Angeles, Santa Monica, Manhattan Beach, Hermosa Beach, Redondo Beach, and Torrance. Studies of harbor subsidence have been made in Long Beach. The Assembly Interim Committee study estimated that $206,770 of the $369,952 spent by the Mapping Division of the Engineer's Department in 1950-51 was for the benefit of cities, and that $151,800 of the $239,350 spent by the Survey Division was for the benefit of cities.[13]

Building Inspection

The Building and Safety Division of the County Engineer's Department issues building permits and inspects construction of buildings, enforcing the county building ordinances, in unincorporated territory. By contract it also performs the same function for six of the smaller cities. These are Avalon, Azusa, Claremont, Glendora, La Verne, and Palos Verdes Estates. These cities paid the county a total of $46,842.31 for this service in 1950-51.

Animal Care

The County Pound Department operates in unincorporated territory; the larger cities maintain their own municipal pounds. Two cities, Montebello and Whittier, receive pound service from the county on a contract basis. The county furnishes patrol and pickup service, enforces the municipal dog leash laws, and cares for the sick, injured, stray, and unwanted animals that are picked up. Each city pays $4.12 per hour for patrol service and additional fees for pound services. In 1951-52, Whittier paid $1,723.92 and Montebello paid $1,749.92 to the county for service.

Recreation

Ocean beaches provide one of the most heavily-used public recreation facilities in the metropolitan area. Nine cities and portions of unincorporated area front on the ocean in this county. Seven of the cities have public beach

areas, and therefore must make some provision for lifeguard protection. These are Los Angeles, Long Beach, Redondo Beach, Hermosa Beach, Manhattan Beach, Santa Monica, and Avalon. El Segundo's small ocean front is taken up by oil loading operations and is not suited to bathing. Palos Verdes Estates' rocky shores provide almost no public bathing sites. The county owns and operates a large beach in the northwestern section of the county at Zuma Beach, and operates the state-owned beaches at El Porto, Manhattan, Redondo, Clifton, and Torrance.

Two types of arrangement have been worked out in county-city relationships concerning lifeguard service. In one instance, the cities of Redondo Beach, Hermosa Beach, and Manhattan Beach have agreements with the county for the County Park and Recreation Department to furnish lifeguard service and beach maintenance. Each city pays the county for this service annually: Manhattan Beach $225, Redondo Beach $750, Hermosa Beach $900. The cities of Los Angeles, Long Beach, Santa Monica, and Avalon maintain municipal guards and do beach maintenance. It is fairly evident, however, that not all persons using the beaches of those cities are residents of the cities that operate the facilities. On the other hand, it would be extremely difficult to work out an accurate method for reimbursing these cities for cost of services provided the inhabitants of other areas. For several years the county government has been paying a lump sum subvention to these four cities for lifeguard service on the theory that this compensated for services rendered the inhabitants of other areas throughout the county. In 1952-53 the county budgeted $50,000 each for Los Angeles, Long Beach, and Santa Monica, and $4,000 for Avalon. Actual payments made in the fiscal year 1950-51 had been $4,000 to Avalon, $24,000 to Long Beach and Santa Monica, and none to Los Angeles.[14]

The county maintains a substantial park and recreation program throughout the unincorporated area. Some large county facilities, such as Arcadia Park and Golf Course and the Lakeside Club, are very close to municipalities and are undoubtedly heavily used by municipal residents. Nevertheless, there are no tangible county-city relationships involved.

In recent years the County Department of Parks and Recreation has adopted a policy of co-operating with school districts for planning, acquisition, and maintenance of recreational facilities that will supplement and complement the school facilities. County recreation areas are planned to be located adjacent to schools, and the facilities of the two agencies are planned to be parts of a community recreation unit. This co-operative program operates both in the planning and development of new facilities and in the management of some existing facilities. Planning of new county recreation development is confined chiefly to co-operative projects involving school districts.

The county makes a cash grant to fifteen school districts to assist them in carrying on their playground programs, to keep school recreation facilities open after school hours and thereby serve as county recreation areas. The county subsidy for this program amounts to $261,597 per year,

or about 10 percent of county recreation expenditures. In addition to this the county spends $169,116 for play leaders for recreational programs on school grounds.[15] Although these co-operative programs do not involve county relations directly with municipal governments, the benefits of the county-district program are available to residents of the cities as well as persons living in unincorporated portions of the school districts. Districts within incorporated cities receiving recreation assistance from the county include: Azusa City School District; Claremont Unified School District; Covina City Elementary and High School Districts; Compton City School District; El Monte School District; Glendora School District; Hawthorne School District; La Verne City School District; Montebello Unified School District; Palos Verdes School District; San Gabriel School District; West Covina School District; and Whittier Elementary and Unified High School Districts.

Administrative Agreements

Fire Protection

Los Angeles County has two fire services operating under a central command organization. One is the County Forester and Fire Warden organization which is concerned chiefly with fires endangering the watershed in the mountain areas. The second is composed of the forces in the eight county fire protection districts which are responsible for structural fire protection within the district areas. The districts cover a large portion of the suburban unincorporated section of the county. The County Forester and Fire Warden and a command staff direct the work of both organizations. The combined county organization constitutes one of the largest fire protection systems in the metropolitan area. Hence, because of the size of its organization and the extent of the area for which it is responsible, it is in a position to offer leadership in metropolitan fire protection.

Fire chiefs in the metropolitan area have had oral agreements for several years to aid other departments in suppressing fires which exceed the capacity of local departments to combat or which threaten to spread to other jurisdictions. Mutual assistance has been encouraged also by the state War Powers Act which seeks to establish mutual aid agreements for civilian defense needs. A county ordinance permits the county departments to enter into such agreements and directs the county work in regard to a disaster plan.

The county fire service has written agreements with thirty cities and oral agreements with the remaining fifteen municipalities.[16] Fires on the borderline of cities are regularly responded to by the county and district companies. No charge is made for these services. On occasion when county and district companies have been fully occupied with large fires in county territory, Los Angeles City companies have provided stand-by service and responded to fire calls in county territory. Arrangements such as

these depend only partially upon written agreements; they rest chiefly upon oral administrative understandings between heads of departments.

Law Enforcement

The Sheriff has carried out a policy of co-operating with city law enforcement officers for many years. By reason of being a county-wide organization, the Sheriff's department is in a position to assist cities. Although the three largest cities in the county have well-equipped police departments, and therefore do not require assistance in the same sense as some smaller city departments, these cities co-operate with the Sheriff's department in many ways.

Criminal records of all persons booked at the county jail are kept in the identification section of the Sheriff's headquarters, and are made available to the city police departments. The Sheriff's department is a central clearing place for information on all persons held on felony charges. This department also owns and operates a telephoto machine which can provide transmission of copies of fingerprints, photographs, and documents to other cities throughout the country. This is the only equipment of this kind within this area. Its services are made available to all police departments at the cost of transmission.

The Sheriff's department keeps records on many types of investigations, and these are available to police departments within the county. These include: auto thefts and recoveries, juvenile investigations, wanted persons records, firearms registration, and registers of persons convicted of sex offenses. No charge is made cities for the use of these files.

One of the most significant communication services the Sheriff's department performs is the maintenance and operation of a teletype system, with which thirty-seven city police departments are connected. Cities not having direct connection are served by the nearest Sheriff's substation. The teletype system passes messages between the agencies connected with it, and relays messages between agencies on the state-wide teletype circuit and those in Los Angeles County.* It has been estimated that it costs the Sheriff's department more than $23,000 per year to maintain the teletype-writers within the thirty-seven cities.[17] There is no reimbursement by the cities.

The Sheriff also transports prisoners for city police in many instances. When prisoners are taken into custody outside this county on the warrant of a city in Los Angeles County, the Sheriff's transportation detail picks up the prisoners from the jurisdiction in which the arrest was made and transports them to the county jail. Also the Sheriff's department transports prisoners between the county jail and the municipal courts located in the county, outside the City of Los Angeles. When the municipal court remands

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*Los Angeles and Long Beach have a direct connection with the state-wide teletype circuit.

a prisoner to the custody of the Sheriff, the department transports the prisoner to the county jail for the city.

The Sheriff's crime laboratory provides technical services to cities when requested. It performs identification work for the cities of Vernon, Glendora, Azusa, Covina, West Covina, and Monrovia.[18] Some cities receive special policing work from the Sheriff's department. In 1950-51, four cities were reported to have received such assistance: Montebello, El Segundo, Burbank, and Culver City. In 1952, the Sheriff granted leave of absence to a captain in his department to serve the City of Burbank during the reorganization of the City Police Department and until a new chief could be chosen. In 1953, a similar arrangement was made to loan the same officer to the City of Azusa. Each January 1, a number of deputy sheriffs are given leave to serve the City of Pasadena in handling policing during the Tournament of Roses.

In a metropolitan area where municipal boundaries are often irregular in shape and where heavily-populated unincorporated areas are surrounded by city areas, there are many opportunities for conflict between law enforcement agencies. The Los Angeles metropolitan area has not been without its irritating incidents and controversies. Nevertheless, a high degree of professional interest in police performance causes the directing heads of most of the law enforcement agencies within the metropolitan area to co-operate.[19]

The County as an Agent of the State

Distribution of Highway Funds

Since 1923, the State of California has taxed highway users by a registration tax upon motor vehicles and a tax upon gasoline, and has given the counties and the cities shares of these taxes for highway purposes. Since the inception of this state tax program Los Angeles County has granted portions of the money it received from the state to the municipalities located within its boundaries. This sharing has been made in an effort to equalize the distribution of these tax revenues among urban and rural areas of the county. The county share from the state has been calculated on the basis of motor vehicle registration within the county, in municipal and unincorporated areas alike. The relationships that have developed between the county government and the municipalities as a result of the discussions concerning the distribution of this money have been varied.

State law limits the use of revenue from highway user taxes to highway purposes. Therefore in distributing portions of the county share of these taxes, the county is also limited. On the other hand, because the allocation among the cities is within the discretion of the County Board of Supervisors, there has always been a bargaining element in the proceedings. Until 1945, the cities presented various projects concerning opening, widening, maintenance, and upkeep of streets that served regional traffic. The county from its standpoint desired to co-ordinate the street and traffic

programs of the county and the cities in order to achieve a county-wide system. Interests of city street departments and city councils and city planning commissions were co-ordinated with the interests of the County Road Department, County Regional Planning Commission, and the Board of Supervisors.

Funds Distribution as Control Method. — From time to time the political relationships between the county government and some city governments have been particularly strained. On those occasions the county has been tempted to use the distribution of highway user funds as a sanction to enforce other plans for which it had no direct sanction. Sometimes this friction has arisen over negotiation for county branch office sites, sometimes over the planning of physical facilities. Most of the time, however, the negotiations over highway funds have been relatively harmonious and have resulted in mutual benefit.

From 1924 to 1945, distribution of the county money to the cities was determined largely by negotiation. Beginning with the fiscal year 1945-46, the distribution was systematized on a standard basis. In February of each year, the Board of Supervisors was to set aside a lump sum for aid to cities, computed on the basis of three-eighths of the total receipts received by the county from the state for the preceding year. Allocation among the cities was to be made on the basis of 85 percent in accordance with population and 15 percent in accordance with total road mileage. Occasionally, additional aid was given an individual city for a special road project. In some other instances a city might arrange with the county for special maintenance work on a designated street, and at the conclusion of the work the street would be turned back to the city for continuing maintenance.

In 1947 the state adopted the so-called Collier-Burns Law which was to control highway financing by the state, counties, and cities. This law increased the share of state-collected highway taxes given to the cities and also established other policies regarding highway and road administration. Thereupon the County Board of Supervisors contended that it was fair to reduce the cities' share of county money from 3/8 to 3/16. This was based upon a calculation that the county and the cities would alike receive 3/16 cents per gallon taxed under the new plan. Discussion over this proposal was protracted and often heated. In the fiscal year 1951-52 the county set aside a sum for specific projects in addition to the lump sum for aid to municipalities. This new sum was labeled "Highways Through Cities Special Projects." It is apportioned on a negotiated basis to alleviate congested sections of the county road system located within the boundaries of cities.[20] For the fiscal year 1952-53, the county budgeted the sum of $3,109,496 for aid to cities, and $2,507,398 for special projects involving highways through cities. The latter involved projects in twenty-two cities, and ranged from $2,000 to $250,000 per project.

The county controls the expenditure of allocated funds which are credited to each city, and held by the County Treasurer. The city must

submit a request to the Board of Supervisors for funds for each specific project. It must report actual expenditures upon completion of the project, and refund any unspent balance of the money. Money thus refunded is held in the county treasury for new projects. [21]

Providing the Trial Courts

Under state law, the county is the administrative unit for the operation of the major trial courts, the superior courts, and municipal courts. The county also finances the justice courts. State law determines the number of judges of the superior and municipal courts that each county may have, and sets the salaries to be paid them. The county is responsible for providing quarters for the courts, and staff to assist in the conduct of court work.

Superior Courts. — Throughout most of its history Los Angeles County has followed the practice that is customary among counties of locating the divisions of the superior court at the county seat, in this case in the City of Los Angeles. As population has increased throughout the county and the traffic has become congested, it has been found desirable to decentralize a portion of the judicial machinery. Branches of the superior court are now located in Burbank, Inglewood, Compton, Santa Monica, San Fernando, Pasadena, Long Beach, and Pomona. This partial decentralization of the superior court facilities has also caused certain of the county departments whose work is closely related to that of the courts to decentralize their staffs as well. The County Clerk has established a branch office in the same cities as the superior courts and the County Law Library sets up small collections in the same places. The District Attorney has branch offices in El Monte, Huntington Park, Inglewood, Long Beach, Pasadena, Santa Monica, and in the Van Nuys branch city hall of Los Angeles which serves the San Fernando valley area of that city. The County Public Defender has established a branch in Long Beach.

Judicial facilities were first organized away from the county seat to serve the distant portions of the county, but when it became necessary to establish branch centers in one or two cities nearer the center of the metropolitan area, pressure from municipal officials, bar association groups, and others to recognize additional cities began to mount upon the Board of Supervisors. Local pride and desire for convenient service has caused the county to expand its administrative building program.

Growth of the judicial structure, together with the destruction of the county court house by earthquake in 1933, has placed the county in an unusual relationship with the City of Los Angeles. The city completed a new city hall in 1928, and when the county required additional court space for superior court divisions and for the Los Angeles Municipal Court, a contract for rental of space in the city hall tower was negotiated. This has continued for more than twenty years. The county pays the city rental amounting to $2.50 per square foot and the city provides heat, light, and janitor service. In 1950-51 the payment was $13,293.33 per month.

Municipal Courts. — In 1950, the voters of California approved a constitutional amendment that permitted the reorganization of the lower courts. One of the reorganizations which resulted from this amendment abolished city courts, or police courts, and introduced a municipal court district system. Previously only the larger cities such as Los Angeles, Long Beach, and Pasadena were eligible to have a municipal court. Under the new plan each city of 40,000 population was eligible for a municipal court. A judicial district, comprising one or more cities or a city and unincorporated territory, might be organized to serve other areas. The structure of the new court system and the salaries to be paid the judges and staffs were specified to a considerable degree in state law. The county, on the other hand, was given the responsibility for financing and administering the new court program.

The city courts and police courts had been a charge against the municipality in which each was located. The justice court, which often overlapped municipal territory, was a charge against the county. The new municipal courts which supplanted both inferior courts in a judicial district were a charge upon the county. The new law permits the county to retain 25 percent of the fines levied resulting from municipal arrests except arrests under the vehicle code. The sum is to be used for partial reimbursement for administrative expenses. Under the old law, each of the cities that had a municipal court was directed to reimburse the county for 24 percent of the actual cost of operating the courts.

Organizing the new courts has involved the Board of Supervisors and county departments in numerous relationships with local officials as well as with local political leaders. In addition to the three municipal courts that existed for several years, courts have been established in Alhambra, Beverly Hills, Burbank, Compton, El Monte, Glendale, Inglewood, Santa Monica, South Gate, and Whittier. Courts representing a combination of cities are located in Redondo Beach and Arcadia.

County-City Relations in Civic Centers

Faced by an expansion of the program for which the county is responsible, the county board has determined to build or acquire buildings for most of these courts that will be county owned. Provision of facilities for superior court branches, municipal courts, and for county departments and municipal court marshals to serve the courts, has emphasized planning for branch civic centers. This planning has involved county discussions with city planning officials and councils relative to co-ordinating the county building plans with city plans. In some instances the county has been able to group all or most of its branch offices in a city in one or two buildings that will be located and designed to conform to local civic center concepts. In other situations a new courts building is built with this arrangement in mind, although other county offices remain scattered. Two of the clearer examples of county-city relations in this matter are provided by Santa Monica and Pasadena. In both instances a new county building forms a unit in a well-designed city center.

County Leadership in a Metropolis: A Summary

The most thought-provoking summary of the county's relations with other local governments that could be provided is set forth in graphic form in Table V. This table reveals that several cities receive a considerable number of services through county contract or through special districts in which the county plays a prominent role. On the other hand, Long Beach and Pasadena stand almost independent of such relationships. Another observation is that the county entered extensively into serving other local governments almost immediately after the county charter was adopted in 1912 and the constitutional amendment permitting counties to perform municipal-type functions was approved. Contracts and agreements were adopted most extensively in the 1920's and early 1930's. There has been no comparable development within the past decade.

Another significant point that can be drawn from this table is that the municipalities with the largest number of agreements with the county are those incorporated in the 1920's. Most of them contracted for county assessment of property and collection of taxes in the first year of incorporation. Many never had their own tax administration or public health service. Most of them were served by county branch libraries when they were unincorporated communities and were content to continue the service. There were no established municipal bureaucracies in those cities. The older cities were more reluctant to transfer their functions. The functions that were most readily transferred were those that duplicated county functions which the county financed by general county taxes.

TABLE V. —INTERGOVERNMENTAL ARRANGEMENTS IN LOS ANGELES COUNTY

										Sanitation		Administrative Subcenters		
	Incorporation	Tax Assessment	Tax Collection	Health Administration	Library	Personnel Services	Building Permits	Lifeguards	Flood Control District	Los Angeles County	Los Angeles City	Municipal Court	Superior Court	Health Center
Alhambra	1903	1925	1925	1922					1915	1924 1946		x		x
Arcadia	1903			1926					1915	1945				
Avalon	1913	1914	1914	1929	1914		x	A						
Azusa	1898	1949	1949	1925			x		1915					x
Bell	1927	1928	1928	1928	1913[B]	1941			1915	1924				
Beverly Hills	1914	1914	1914						1915	1928	1925[C]	x		
Burbank	1911	1914	1914	1933		1940			1915		1927[C]	x	x	x
Claremont	1907	1908	1908	1928	1914		x		1915					
Compton	1888	1916	1916	1923	1913				1915	1924		x	x	x
Covina	1901	1925	1925	1928					1915					
Culver City	1917	1918	1918	1932	1915[B]				1915	1929	1922[C]			
El Monte	1912	1939	1939	1921	1913				1915	1945		x	x	x
El Segundo	1917	1917	1917	1921					1915	1923	1925[C]			
Gardena	1930	1930	1930	1931	1914[B]	1941			1915	1924				
Glendale	1906	1919	1919	1928					1915		1923[C]	x		x

Glendora	1911	1911	1911	1921					1915					
Hawthorne	1922	1923	1923	1922	1913[B]	1936			1915	1924				
Hermosa Beach	1907	1926	1926	1923	1913			D	1915	1923				
Huntington Park	1906	1922	1922	1923	1913	1951			1915	1924		x		x
Inglewood	1908	1908	1908	1929	1913	1938			1915	1924		x	x	x
La Verne	1906	1907	1907	1919	1914		x		1915					
Long Beach	1888							A	1915	1924		x	x	
Los Angeles	1850	1917	1917					A	1915	E		x	x	
Lynwood	1921	1921	1921	1925	1915[B]	1943			1915	1924				
Manhattan Beach	1912	1934	1934	1923	1915	1939		D	1915	1923				
Maywood	1924	1924	1924	1924	1921[B]	1938			1915	1924				
Monrovia	1887	1929	1929	1922					1915	1945				x
Montebello	1920	1921	1921	1928	1914[B]	1952			1915	1924				
Monterey Park	1916	1917	1917	1929	1915[B]				1915	1924				
Palos Verdes Estates	1939	1940	1940	1940		1952	x		1915	1923				
Pasadena	1886								1915	1946		x	x	
Pomona	1888	1932	1932	1919					1915			x	x	x
Redondo Beach	1892	1931	1931	1923		1941		D	1915	1923		x		x
San Fernando	1911	1912	1912	1923	1916	1942			1915		1924[C]		x	x

TABLE V. (Continued)

										Sanitation		Administrative Subcenters		
	Incorporation	Tax Assessment	Tax Collection	Health Administration	Library	Personnel Services	Building Permits	Lifeguards	Flood Control District	Los Angeles County	Los Angeles City	Municipal Court	Superior Court	Health Center
San Gabriel	1913	1913	1913	1923	1915				1915	1924				
San Marino	1913	1914	1914	1928					1915	1946				
Santa Monica	1886	1934	1934	1927			x	A	1915		1925[C]	x	x	x
Sierra Madre	1907	1914	1914	1925					1915	1945				
Signal Hill	1924	1924	1924	1941		1953			1915					
South Gate	1923	1923	1923	1924	1923	1937			1915	1924		x		
South Pasadena	1888	1912	1912	1940					1915	1946				
Torrance	1921	1922	1922	1923	1914[B]	1943			1915	1923				x
Vernon	1905	1910	1910						1915	1924	1909[C]			
West Covina	1923	1924	1924	1936	1915[B]				1915	1945				
Whittier	1898	1949	1949	1922		1952	x		1915	1948		x	x	x

A City receives a subsidy from the county for lifeguard services.
B Note that a county library branch was established in the community prior to incorporation of the city.
C Date given is that of earliest contract.
D County Park and Recreation Department performs lifeguard services on beaches fronting the city.
E Los Angeles has small portions of territory served by county sanitation districts.

IV. INTERGOVERNMENTAL RELATIONS THROUGH SPECIAL DISTRICTS

California has made extensive use of the special district device to deal with many problems of local government. Some of these special units have been created by special act of the Legislature. The majority of them have been created by vote of the persons in the area that has been proposed for organization, under authority of general state legislation.

The Role of Special Districts

There are numerous laws on the statute book pertaining to special districts, and there is a most confusing lack of uniformity among them in their provisions governing the formation and management of districts. Some districts are composed of two or more cities; others comprise both city and unincorporated territories. The majority of special districts has been organized in the unincorporated areas of the county, however.

Some districts are governed by a joint board composed of representatives of the cities whose territory is included in the district; others have a joint board composed of city officials and members of the county board of supervisors. There are some notable examples where the county board serves as the governing board of the district. In a few instances, the voters of the district elect a separate governing board. In still fewer instances the Governor appoints members of the district board.

This chapter will discuss examples of special districts in which (a) the county board is the governing authority of the district and the district has significant relationships with city governments, or (b) city representatives and county officials serve together on a joint governing board of a district, or (c) several city governments have negotiated with the county board of supervisors for the formation, under general state law, of a special district that would serve the cities, or (d) the county and a city have worked together with a district to accomplish purposes that are of mutual interest.

Los Angeles County Flood Control District

The area of this district comprises most of the coastal portion of the county and includes the forty-five cities as well as unincorporated county territory. The County Board of Supervisors serves as the governing board of the district.

District Formed

This district was formed in 1915. Heavy winter rains during three successive winters, culminating in 1914, produced large property damage in the Los Angeles County area south of the San Gabriel Mountains. Immediately following these disasters, the County Board of Supervisors became very active in organizing a flood control program. The Board called

meetings of representatives of the cities, flood protection districts, and of other organizations interested in the matter. A Los Angeles County Flood Control Association was set up as a result of these meetings. In an effort to encourage municipal participation, each city council in the area was given three votes in the Association's affairs. A division developed between representatives of the City of Los Angeles and those of some other communities, in the discussion of details of a bill that was to be proposed to the Legislature to create a flood control organization. The Los Angeles City group wished to have a program that would be financed by special assessments upon the property that would be protected and improved by flood control works. Opposing this concept were representatives from Whittier, Long Beach, and Compton, and those from several unincorporated areas. The latter group favored forming a district that would cover the portion of the coastal plain inside the county boundaries, and which would be financed by bond issues supported by taxation upon property throughout the entire area.

Bills to accomplish both plans were urged upon the Legislature and both passed. Thereupon the choice lay with Governor Hiram Johnson, who signed the bill that created a county flood control district financed by bond issues and supported by taxes upon the entire area.

The special district created by this act comprised about three-fifths of the land area of the county, and covered the watersheds of the Los Angeles and San Gabriel rivers and a portion of the Santa Clara River watershed. The County Board of Supervisors was designated the governing board of the district, and the County Counsel, Clerk, Assessor, Tax Collector, Auditor, Treasurer, and other officers of the county government were required to serve ex officio as officers of the district. The flood control board was authorized to appoint a district chief engineer and a staff of district employees that were separate from the county government employees. [1]

Co-operation with Cities Required

The Flood Control District Act recognized that the cities located within the district area had an interest in the district's operations, although direction of the operations was placed with the Board of Supervisors. The act required that prior to letting construction contracts, the district must obtain the approval of city councils for any flood control work planned within a municipality. If the city did not act or if it disapproved, the district could spend the money allocated to that project elsewhere in the district. As a result of this policy, the Chief Engineer of the district has been required to work closely with the city engineers and city councils of the various cities within the district.

Pasadena and South Pasadena were interested from the inception of the district in plans for a dam at the Devil's Gate in the Arroyo Seco. Construction of works there assisted in replenishing underground water supplies for both cities. Elimination of the flood hazard in the Arroyo Seco permitted development of several areas for full urban use.

Los Angeles and Long Beach were concerned with the danger that an uncontrolled Los Angeles River would silt the harbors and seriously interfere with developments that were engaging the interest of both municipalities. The Los Angeles River channel also ran close to the central business and commercial district of the City of Los Angeles. Floods in 1913 had paralyzed railroad lines in that city. Other cities within the district were interested in having adequate protection from flood damage, also.

Development of the District Program

In the early years of the district's history, the City of Los Angeles and other cities on the west side opposed the district's plans for construction projects. They also opposed the bond issues. Opposition from Los Angeles lessened as the city annexed territory that was protected by the district's projects. It also lessened as the city developed and the property investment became great.

Every effort of the district to finance and construct large masonry dams was fraught with controversy. Gradually the district's program crystallized on the less expensive plan of constructing check dams to prevent the more severe ravages of flooding, and development of a water conservation program. Both activities changed much of the early opposition to the district into support.

One feature of the district's intergovernmental relations has resulted from the practice of a number of cities referring plans for new subdivisions to the flood control's district engineers for information. Co-ordination of construction of flood projects with city growth was thus accomplished. This co-operation also allowed the district to be forewarned, and to acquire easements and rights-of-way before improvements were built upon tracts within range of projects that the district was planning.

From 1935 onward, the U. S. Corps of Engineers performed the major role in constructing flood control channels and dams in this area. Thereafter, the district devoted its resources to the maintenance of flood control works, operation of water spreading areas, and similar conservation projects. Thus, there were fewer points in which district plans and operations directly affected the interests of the cities in the area. Relationships between the district and the cities have generally been harmonious in recent years, although some criticism arose in the San Fernando area of Los Angeles after heavy rains in 1951 flooded business sections there.

Storm Drain Program

In 1952 a new era of district-city relationships was inaugurated when the voters approved a bond issue for $179,000,000 to finance construction of storm drains in the metropolitan area. Two years prior to this the Board of Supervisors had directed the Chief Engineer of the district to prepare a master plan for storm drain construction. Flood damages in the winter of 1951-52 focused popular interest on the problem of storm drainage, and a

citizens' committee sponsored by the County Board of Supervisors headed the campaign in support of the bond issue. On July 15, prior to the election, the Board adopted the engineering report submitted by H. E. Hedger, District Engineer. Following the authorizing of the bonds, the Board and the District Engineer entered into an understanding with the various cities whereby the design of storm drains to be constructed within the cities was to be supervised by city engineering staffs. Supervision of construction and over-all review of the projects was to be conducted by the district. It was estimated that the construction program would require approximately five years to complete.

State-District Relations

It was originally contemplated when the district was created by special act of the Legislature that its program would be financed by taxes upon property that benefited by the district's work. A district bond issue of $4,500,000 was voted in 1917 to start the program. Soon afterward, however, economic conditions became unfavorable and the Board of Supervisors turned to the state for aid with the flood control plan. The 1919 session of the Legislature appropriated an outright grant of $250,000 to the district without conditions of any type. This was the beginning of a series of state appropriations to this local unit.

Sectional rivalries, which have often been manifest in California state politics, had much to do with the efforts to obtain state aid. The state had been interested in flood control in the Sacramento-San Joaquin river valleys from 1905. The Los Angeles County Board of Supervisors and some newspapers in the City of Los Angeles were outspoken in demanding that the Legislature appropriate an amount to the Los Angeles project equal to any for the northern one. Governor Richardson expressed a similar view and urged the Legislature to make appropriations to the Los Angeles District.[2]

The 1921 session of the Legislature voted a commitment for continuing appropriations to the district, directing that $300,000 per year should be made available from state funds for a period of ten years.[3] The money was to be used in support of plans that the district's engineer had prepared and filed with the Board of Supervisors. The statute made no mention of state supervision or of any requirement for an agreement pledging the district to a particular set of standards or policies.

In 1924 the District Engineer and Board sought to gain additional local financial support for a building program involving high dams of masonry construction. A bond issue for $35,200,000 was approved in that year, but a second bond proposal was defeated in 1926. Controversy raged in the district over whether more funds should be put into dams or into maintenance of flood channels and water conservation activities in the lowlands. The state took no open part in this controversy, although the 1921 statute implied approval of a system of check dams and channel protections.

The policy controversy came to a climax in 1929 when a serious slide

occurred at the district dam in San Gabriel Canyon. The state intervened in this particular situation. A few months before this slide occurred the state had adopted a statute directing the State Engineer to inspect the construction, maintenance, and operation of all dams.[4] This act had come into being after a Los Angeles City Water Department dam had burst at San Francisquito Canyon. Under authority of this statute, the State Engineer stopped the district's construction project in the interest of public safety.

The ten-year plan for state aid was due to expire within two years, and in 1930 the Board of Supervisors formulated a supplemental plan to propose to the Legislature. The District Engineer prepared a capital project plan for the expenditure of $6,000,000 and proposed that state funds be designated for construction work inasmuch as the needs were greater than local resources could support. The Board offered to submit specific projects for state approval prior to grants-of-aid. In the 1931 session of the Legislature the north-south issues flared again. Los Angeles contended that inasmuch as $1,800,000 had been included in the executive budget for a Sacramento River flood project, the district should receive similar treatment. The Legislature was willing, however, to appropriate only $600,000 for the biennium 1931-32. The act carried a statement that the State Director of Finance should continue items in the state budget for support of the district until the flood control and conservation program was completed. It was no longer possible for the Legislature to make the type of continuing appropriation it had given in 1921 because the executive budget amendment adopted by the voters in 1922 had shifted financial planning to the Governor and his Director of Finance.

In February 1933, the Director of Finance notified the Flood Control District that he did not propose to include in the state budget any item for aid to the District because of the overriding need for economy. Efforts to secure special appropriations from the Legislature after the budget was adopted were equally unavailing for the same reason.

Federal-District Relations

Federal activity in flood control in California prior to 1933 had been limited largely to work on the Sacramento River. In Southern California the Army Engineers' work had been involved almost entirely with harbor protection. The first co-operative project undertaken by the Los Angeles County District and the federal government was the construction of the Los Angeles River diversion channel to eliminate silting of the Los Angeles and Long Beach harbors. The Engineer Corps spent $1,400,000 on the project and the district spent $1,600,000. The project was constructed through the area of the City of Long Beach. Upon completion of the work in 1923 the channel was turned over to the district for maintenance.

In 1934 the county began to cast about for new financing to replace the state aid for flood control that had been lost. The district revised the comprehensive plan and submitted it to the Rivers and Harbors Congress,

an extragovernmental body that had become the most potent national lobby organization for river and harbor appropriations. That body approved the district's plan in May 1935, and urged governmental support. In March 1936, the Engineers were authorized to make a study of the Los Angeles area, and when Congress adopted the Flood Control Act of 1936 on June 22, the Los Angeles project was included in the legislation. This placed the Corps of Engineers in the program of constructing masonry-walled flood channels in the Los Angeles metropolitan area. Thereafter the Corps became the principal construction agency in that program. The district assumed the more modest role of maintaining channels, debris basins, and water-spreading grounds. It continued to maintain its own dams, both masonry and earth-fill, and to do work on the headwaters of the watershed.

The Flood Control Act of 1936 required the local authority to purchase rights-of-way and assume liability for damage. This feature was modified by the Flood Control Act of 1938, and the district was reimbursed $568,697.98 spent under the previous act.[5] The Engineers, however, recommended that local authorities should purchase rights-of-way, and assume the costs incidental to realigning bridges and roads to permit flood control work. This recommendation was adopted in the Flood Control Act of 1941, and in the Los Angeles area the district has continued to perform that work.

The Flood Control Act of 1941 vastly extended the Los Angeles project to include work on the Los Angeles and San Gabriel rivers and on Ballona Creek. It was estimated that the cost to the federal government was to be approximately $163,500,000, whereas the local governments would be committed to work costing approximately $22,500,000.[6] This program was delayed by the war, but it was reaffirmed by the Flood Control Act of 1944 and similar legislation in 1950.

The Los Angeles County Flood Control District continues to work in close co-operation with the Corps of Engineers. The District prepares surveys and studies of new projects and advises the Board of Supervisors and the Engineers of estimated needs. When federal appropriations are sought, the Board of Supervisors designates the district's Chief Engineer to present the data on behalf of the District. When projects are adopted and work is to proceed, the District purchases the rights-of-way, and makes arrangements for realignments of streets and roads. In many instances, when the project is complete, the District undertakes the maintenance. The Corps of Engineers maintains dams and reservoirs; the District maintains channel improvements, subject to Engineer regulations.

Initiative for a federal flood control project, such as that on the Los Angeles River, usually arises from local action. Local groups enlist the support of their representatives or senators, who request the public works committee of the Senate or House to authorize investigation of the project. An authorization bill is adopted and directs the Engineers to conduct the study. The local district office of the Engineers holds a public hearing to receive local testimony and plans, and to determine whether the project

requires a more thorough study. The U. S. District Engineer then submits a report which is reviewed by the Division Engineer, the Board of Engineers for Rivers and Harbors, and the Chief of Engineers. The Chief decides if a detailed study is to be made. If a study is ordered, an analysis of engineering and economic data is undertaken, and local opinion is again invited. The ensuing report is circulated to federal agencies and to the state concerned for comment. Thereafter it is submitted to the Secretary of War, who obtains the views of the Bureau of the Budget and then transmits the report to Congress. If Congress approves the project, approval is indicated in an authorization bill. Whether construction proceeds or not depends upon appropriations that are made in the annual appropriation acts. Often several years may elapse between the authorization and an allocation of funds. In his annual budget proposal the Chief of Engineers includes estimates for current and authorized projects in accordance with priorities that have been worked out. The program and budget for the Engineers is made up on the basis of reports from district engineers regarding the funds required to complete projects that have been started in their districts. Each project supported in the Corps' budget must be supported and defended annually, even though a plan and an estimate for the work has been approved by Congress previously.

Renewal of State Aid to the District

One of the major postwar projects adopted by the California Legislature was that embodied in the State Water Resources Act of 1945. The basic objective of the act was to authorize an administrative organization that would formulate a plan for water use and conservation. A part of the immediate use of the act was to implement a postwar reconstruction works program. Several flood control projects were to be financed in this plan, including two for Los Angeles County.

One section of this state act adopted the comprehensive plan for flood control in the basins of the Los Angeles and San Gabriel rivers and Ballona Creek that had been set forth in the federal report to Congress and adopted as part of the Federal Flood Control Act of 1941.[7] The Legislature appropriated $25,000,000 for the state share of aid for the project.

Another section of the act appropriated $1,882,000 to aid Los Angeles County with watershed protective work. This appropriation was based upon approval of a plan proposed by the U. S. Department of Agriculture in 1941 for flood control by means of watershed protective work in the mountains forming the watershed of the Los Angeles River.[8] The federal program had called for the Los Angeles County Flood Control District to pay half the cost of installing mountain channel improvements and constructing debris basins on nonfederal land. The federal government agreed to pay half of this work and to pay the entire cost of such work on federal lands. The State of California was to pay half the cost of road work in aid of flood control on state highways in the area. The federal government would pay the remaining half. The 1945 session of the Legislature directed that the Flood

Control District should give the assurances required by the federal government that local interests would perform the work. The district was directed to execute a plan with the federal representatives and carry out the plan, using the state aid funds as well as local funds.

The 1945 state legislation created a State Water Resources Board and declared the intention of the state to co-operate with the federal government, counties, and other local agencies and assist them in all ways practicable.

The Los Angeles County Flood Control District has worked with the Division of Water Resources in recent years in conducting studies of water tables and water resources. Both agencies are concerned with the underground water resources of the region.

Flood District-Water District Relations

Inasmuch as a portion of the Flood Control District's program calls for operation of small check dams and water-spreading grounds, it is actively engaged in water conservation. It is constantly engaged in attempting to build up the water table of the area. This work of the district is of interest to water districts and other groups who pump from natural underground storage basins. The report prepared by the Flood Control District and the County Sanitation Districts in 1951 regarding the advisability and practicability of reclaiming sewage and spreading treated water for percolation into the underground water reservoirs indicates an active interest in aiding water users of the area.[9]

Municipal Water Districts

Some special districts in California are organized for the purpose of joining several cities, together with adjacent unincorporated lands, in a special-purpose unit to administer a commonly needed function. A municipal water district is an outstanding example of this. Lands in one or more municipalities, together with adjacent lands in unincorporated county areas, may be joined to purchase water and maintain water works. Authority for creating a municipal water district is found in general state law. The county board of supervisors is the reviewing authority charged with responsibility for receiving petitions or requests for organizing a district. While in point of law the county board does not have authority to grant or deny the organization of a district, in fact it exercises considerable influence in the specific decisions that are made. The county board is in a position to assist the formation of such districts. Equally, it is in a position to frustrate negotiations.

Creation of municipal water districts in the Los Angeles area has come in recent years as a result of pressures to organize to seek a share of the Colorado River water supply for areas that did not join any agency that was allocated a portion of California's share in 1928. (See pp. 37-38, 40 for a discussion of federal-local relations in this matter.) The Metropoli-

tan Water District controls the distribution of this supply throughout a large portion of Southern California. Under the basic law creating this district and the policies of the district board, shares in the district's water can be obtained only by cities or by districts which represent groups of cities and unincorporated territory. Population growth in the Los Angeles area since 1946 has brought about a renewal of activities to produce organizations that may apply for Metropolitan Water District membership.

In 1950, the Pomona Valley Municipal Water District was formed to comprise the incorporated cities of Pomona, Claremont, and La Verne, together with unincorporated communities of San Dimas, Walnut, and Spadra. Later the City of Glendora joined it. The City of Pomona showed considerable industrial development, but the remainder of the district was agricultural, although unmistakable signs of urbanization were evident.

In 1951 and 1952, the Board of Supervisors was called upon to hold hearings and conduct an election to form a municipal water district in two heavily populated areas of the metropolitan region. The West Basin District comprised the incorporated cities of Inglewood, El Segundo, Manhattan Beach, Hermosa Beach, Gardena, Redondo Beach, Palos Verdes Estates, and surrounding strips of unincorporated county territory. The Central Basin Municipal Water District comprised the nine incorporated cities of Vernon, Montebello, Whittier, Huntington Park, Bell, Maywood, South Gate, Lynwood, and Signal Hill, as well as twenty-two unincorporated communities in the county territory. Both districts are governed by boards elected by the voters of the district. The county government was closely involved in the discussions preceding the organization and in the detailed work of organizing the districts. Both areas had received attention from the County Flood Control District for a number of years. Flood district crews conducted water-spreading operations in efforts to conserve ground water supplies. As underground water tables fell and demands for water mounted, the municipal water districts were formed to obtain an additional supply by qualifying for membership in the Metropolitan Water District.

Los Angeles County Sanitation Districts

A unique type of city-county relationship carried on through special districts is illustrated by the county sanitation district organization. These districts are special-purpose units organized under the terms of state legislation adopted in 1923. A county sanitation district may comprise the territory of one or more cities together with unincorporated areas, or any combination of cities, or it may consist entirely of unincorporated territory. The board of supervisors may take the initiative to form such districts or interested groups may urge the board to take action. In any event, the board must hold public hearings on the proposal. If there are no protests, the board may adopt a resolution creating a district. If 2 percent of the voters of the district sign a petition protesting formation of a district, the board must call an election or abandon proceedings. Completion of the organization of a district depends upon approval of a bond issue by voters of the

area, to finance construction of main sanitary sewers, treatment plants, and disposal works.

District Organization

The governing board of a county sanitation district is made up of the chairman of the board of supervisors, if there is unincorporated territory in the district, and of the mayors of any cities within the district. If all the territory is unincorporated, the board of supervisors acts as the governing body. If the territory includes only incorporated cities, the governing body is composed of the mayors of the member cities.

In Los Angeles County there are fifteen county sanitation districts. Fourteen contain some unincorporated territory, and hence the chairman of the Board of Supervisors is chairman of those governing bodies. Only one district is composed entirely of cities. District No. 16 comprises Pasadena, San Marino, South Pasadena, and Alhambra.

Where a district comprises a city and unincorporated territory, the city will have two members on the district board and the county but one if the city has more population than the unincorporated area. If the opposite is true, the county has a second member and the city but one. In District No. 3, the City of Long Beach has the majority of the district population; hence this district board is made up of the chairman of the Board of Supervisors and two members of the Long Beach City Council. Five other districts have a majority of their population residing in county territory and therefore the county has two representatives on those district boards.

The county sanitation district system draws a major portion of the county into its sphere. Thirty-three of the forty-five incorporated cities within the county have membership on the boards of the sanitation districts. Several cities are served by more than one district and consequently have membership on more than one board.

The Central Organization

Another significant feature of this system was worked out by agreement among the districts. In 1925, two years after the state authorized the creation of county sanitation districts, the districts in Los Angeles County combined forces and employed a single chief engineer and central staff to serve all the units that became parties to the agreement. All of the districts in the metropolitan area now are parties to this joint agreement. The only one not belonging is located outside the heavily populated area, in a portion of the county north of the San Gabriel Mountains. Eleven of the fourteen co-operating districts maintain a unified trunk sewer system, a central treatment plant, and an ocean outfall at White's Point near San Pedro.

Three of the districts are located where it is more convenient to contract with the City of Los Angeles to dispose of sewage through the city system. These are served by the central staff for intradistrict work, and by the city for mains, treatment plant, and ocean outfall.

Each district supports the cost of construction within the district, and each district served by the central staff pays its share of the cost of the central plant and outfall. Construction costs have been financed from bonds that are obligations against taxable property in each district. Maintenance costs, the district's share of the cost of the central administration, and bond debt service are financed by a district property tax. The district board determines the amount of annual expenditure, and the County Board of Supervisors sets a tax rate for the district sufficient to produce the required revenue. The County Tax Collector acts as tax collector for each district, and the County Auditor performs fiscal services for each district.

The district's central administration is separate from the county service and is located entirely apart from the county and cities' administrative headquarters. The Chief Engineer of the district has been remarkably successful, however, in unifying the various political leadership interests represented on the district boards. While each board has certain responsibilities with respect to its own district, the Chief Engineer has fostered an appreciation of system-wide problems by arranging for the boards to meet in joint session at least once a year for a review of problems facing the system as a whole. The central administrative staff has been very alert to anticipate new trends in public needs. Since 1945, in particular, the staff has worked with leaders in areas where population increase has been high and where there has been need for the district's type of service. Six new districts have been formed in this period, although but five are in operation. Defeat of a bond issue in one district prevented that unit from beginning operations. Several of the new districts comprise cities that formerly operated separate sewer disposal systems. These cities joined the district system because the independent municipal system was no longer practical in a large, heavily populated metropolitan area. The district system offered the most feasible alternative.

Another illustration of the leadership presented by the districts' central staff and governing boards is the proposal that the district system undertake garbage and trash removal and disposal. In 1949, the district boards authorized A. M. Rawn, the Chief Engineer, to prepare a study and make proposals for a plan of waste disposal for the districts. A comprehensive report was made in 1950, and in August 1951, six of the districts inaugurated the program. The Rawn report of 1950 was a comprehensive one, and was county-wide in scope. A beginning has been made toward a metropolitan scheme for handling the wastes of the area.

Exposition Park and Coliseum

As an aid to agriculture the State of California has created a number of special agricultural districts throughout the state. The primary objective of such districts has been to support and manage agricultural fairs, and included in the activities of such fairs have been trotting horse races, livestock exhibits, and commercial amusements. These districts are separate from the government of the county within which the district operates, al-

though the boundary of any one district lies within a single county. The Governor appoints the members of the district board of trustees, and most agricultural districts receive state financial assistance in addition to the revenue from fairs.

The Sixth Agricultural District was the only one of its type that was organized for Los Angeles County. It acquired a tract of land on the southwest side of the City of Los Angeles where it held its fair and harness racing for several years. As the city grew toward the southwest, the district's tract became surrounded by a city area which was developed for homes, apartments, and commercial establishments. The University of Southern California campus was located nearby. As urban development took place around the grounds, the district abandoned its earlier activities, built permanent exposition buildings, and landscaped the tract as a park.[10] Exposition Park today is one of the major recreational and cultural centers of the metropolitan area.

Since 1910 the Sixth Agricultural District has permitted other units of government to use portions of its land for public purposes under a series of intergovernmental contracts. On February 23, 1910, the district and the City of Los Angeles made an agreement whereby the district leased to the city for fifty years a portion of the park which was described in the contract as that part between Santa Monica Avenue on the north, Figueroa Street and Lots M to Y on the east, the Speedway on the south, and Menlo Avenue on the west. The city paid $10,000 at the time of the agreement and undertook to spend $100,000 in ten years, at the rate of $10,000 per year, for planting, shrubbery, and grounds improvements. It also promised that if it acquired an electric power plant during the life of the contract, it would supply electricity free to the state buildings in the park.

On May 21, 1912, the lease was amended to include additional land which was to be improved as an athletic field.[11] On July 29 of that year another agreement was entered into between the district, city, county, the Los Angeles Driving Club, and the Los Angeles Harness Horse Association to finance a grandstand on the athletic field. The city agreed to construct the grandstand and provide $10,000 of the estimated cost of $40,000, whereas the county provided $10,000 and each of the clubs provided like amounts. The district agreed to construct a pedestrian subway to the grandstand and contribute $3,000 of the cost. The city was to pay $5,000 and the two clubs were to contribute $5,000. The grandstand and the subway were both to become the property of the district, but the district and the city were to have use of them for fifty years, with a right of renewal. Two years later the subway project was abandoned.[12]

Growth of the city and the metropolitan area in the 1920's led to a demand for outdoor facilities for athletics and public events that could be attended by large numbers of persons. On November 15, 1921, the city and county governments entered into a co-operative agreement with the Community Development Association, a private nonprofit organization, to sublease a portion of the city's leasehold in Exposition Park for a stadium or

coliseum. The Association agreed to erect a concrete stadium that would seat 75,000 people. The city agreed to make a series of payments to the Association in return for use of the stadium until February 23, 1960, the date the city's lease from the district expired. No payment would be made for any one year unless the city had had use of the stadium during the preceding year. Also the city agreed to refund the amount of taxes collected upon the stadium.[13]

The county agreed to pay sums identical with those specified for the city, and at the same intervals. It also agreed to refund taxes on the plant. During the first ten years the county was to have use of the stadium for fifteen consecutive days during the months of January, March, May, July, September, and November, upon written demand of the Board of Supervisors.

The city was to have use of the stadium in the opposite months for fifteen consecutive days. After ten years, the city and county were to have exclusive use of the stadium, buildings, and grounds. When that situation materialized, the city was to have the right to use the stadium during the first fifteen days of each month and the county would have the use from the sixteenth day to the end of the month. The Agricultural District reserved the right to use the Coliseum for fifteen days each year for a fair or exposition if the district chose to conduct one. The Association agreed to maintain the Coliseum for the first ten-year period and to apply all revenue toward maintenance. After the Association relinquished control, the city and county were to share expenses equally, and they agreed to spend the project income for maintenance. During the time the Association was responsible for operating the plant, it agreed to give a complete financial accounting semiannually to the city and county. It likewise agreed to vacate the Coliseum at the end of ten years. The project was completed in 1923; therefore the Association's interest was to continue until January 2, 1933.

In 1930 plans were perfected to bring the Tenth Olympic Games to Los Angeles, and Exposition Park and the Coliseum were selected as the chief sites for the games. On February 14, 1930, the city, county, district, Community Development Association, and Tenth Olympiad Committee made an agreement to permit certain additional construction in the portion of the park that the city leased. It was recognized that the city and county would soon become joint owners and managers of the Coliseum. Legislation was obtained from the State Legislature to authorize the project that was contemplated.[14] The city was to let the contracts for the construction of additions to the stadium, but both the city and county would share in the cost.

On May 8, 1931, another agreement was made in contemplation of preparations for the games. The state was to demolish the grandstand that had been erected co-operatively in 1912, and the city was to erect a playground headquarters building and a group of tennis courts. The city was also authorized to demolish swimming pools that existed in the tract and to construct a new one to the specifications desired for the international games.

The next agreement between the city, the county, and the district

sought to establish a working arrangement for management of the Coliseum. This was drawn on May 29, 1933. The city and county were recognized as joint owners of the plant. The district consented to an adjustment in the schedule of times that it might claim use of the stadium, withdrawing its claim to use during September to December when the plant was in demand for intercollegiate games. In exchange it received an option on thirty days' use between January and August. The Los Angeles City Board of Playground and Recreation Commissioners was to be the managing body for the Coliseum, and when acting in that capacity would be known as the Coliseum Commission. Employees of the Coliseum Commission were to be exempt from civil service and were not to be considered employees of the city or the county. A Coliseum fund was to be set up in the city treasury to contain all moneys paid in or received from operations of the Coliseum. This fund was to be audited in the same manner as other city funds. The city and the county were to start the fund by equal contributions of $20,000. Both governments were to have the right of use of the Coliseum without charge from the Coliseum Commission. It was stipulated that the agreement could be canceled on December 13, 1934, or at any biennium after that.

In November 1934, the make-up of the governing board for the Coliseum was changed. In place of the Recreation and Playground Commission a nine-member board was installed. This comprised the five members of the Recreation and Playground Commission, the Chairman of the Board of Supervisors, the Superintendent of the County Department of Recreation and Playgrounds, and the President and Secretary-Manager of the Sixth Agricultural District. The May 29, 1933, agreement has been amended several times also in regard to the financing of improvements from gross revenues.[15]

The managerial arrangements for the Coliseum were altered once again in 1945. The first agreements had given the city a controlling voice in the management of the plant: first, complete control of the management, subject to limitations in the contract, and then a five-to-four majority. On September 25, 1945, a reorganization plan was adopted which gave a complete balance of representation between the three units concerned. Three members of the Coliseum Commission were to be chosen by the City Board of Playgrounds and Recreation from among its own members, three were to be selected by the Board of Supervisors from its membership, and three members of the Agricultural District Board were to be similarly chosen. Each commission member was to be compensated $10 per meeting, with a maximum of $250 per year. A quorum was set at five members: business could be transacted only upon a vote of two-thirds of commissioners present. The city continued as the fiscal agent for the Commission, although the 1945 agreement established new funds for administration, promotion, reserve, overhead lighting, and special allocation. The original amount paid into the Coliseum Fund by the city and the county was to be repaid. The Commission was permitted to make grants of concessions for

three years and to sublease facilities for three years. The agreement or contract was made for three years, but it has since been renewed twice.

Since the management of the Coliseum has been arranged satisfactorily for the three units, conduct of the Exposition Park has been fairly harmonious. The Agricultural District maintains permanent exposition buildings in the park, and the city maintains extensive recreational and park facilities, including swimming pools and tennis courts. The county maintains the County Museum and Art Gallery. The three, acting through the Coliseum Commission, operate the huge structure that provides facilities for large-scale public events of all types.

Occasionally some confusion and friction arises from the complexity of intergovernmental relations in the park. In 1952, the city and district disputed over the maintenance of the grass in one portion of the park. The basis for the dispute lay within an agreement made in 1924 between the district, city, and county for an additional division of district lands. The state reserved two parcels of land for large pavilions which it planned to construct between the Coliseum and Figueroa Street, one on each side of the drive which extended to the stadium. Under this agreement, the county was to build certain roads and the city was pledged to maintain them. The city was allocated three parcels of land for a playground, although it was permitted to transfer the parcels from its playground and recreation department to its park department if it chose. In 1933 it did so transfer the parcels, and thereafter devoted the land to park purposes rather than a playground. By 1952 the land belonging to the district and that allotted to the city was maintained in a similar manner, and it was not evident to the passer-by that two jurisdictions controlled portions of it. The city members and the district members of the Coliseum Commission disagreed over plans for providing parking facilities for the Coliseum. For a time the grass in this section of the park was not watered, pending a decision as to whether parking facilities would be constructed there. The matter was adjusted in a few weeks and the park appearance was renewed.

Air Pollution Control

Atmospheric conditions in the Los Angeles metropolitan area are such that on many warm, dry days an atmospheric inversion is caused which holds dust, smoke, and other air pollutants in suspension at a low level, thus producing an eye-irritating haze. Increase in industrial development of the area, together with an increase in population and in number of automobiles, brought this situation forcefully to the attention of the area by 1945. The County Board of Supervisors appointed a Smoke and Fumes Commission in 1944 to study the problem and make recommendations. This commission recommended that an ordinance be adopted setting up a research and investigating unit and that the county building ordinance be amended to provide for regulation and inspection of factories and equipment which gave off gas, smoke, or dust. It also recommended that the air pollution enforcement work be assigned to the County Health Officer.

The Board of Supervisors followed this advice and on February 20, 1945, created the office of Director of Air Pollution Control.[16] The county ordinances were effective only in the unincorporated areas of the county, however. The Board of Supervisors urged each of the forty-five cities to adopt municipal ordinances paralleling the county law and to assign enforcement responsibility to the county officer. Twenty-two cities co-operated in this manner during 1946-47, but the remaining twenty-three declined. The City of Los Angeles set up a small unit within the City Health Department.

Results of this co-operative enforcement program were not satisfactory and at the 1947 session of the Legislature measures were introduced to create a more effective organization. Much controversy arose during consideration of the legislation. Many municipal officials were insistent that the cities should have a share in the program. Complete county administration was one alternative considered, and a metropolitan special district that would encompass portions of Los Angeles, San Bernardino, Riverside, and Orange counties was another. Opposition from citrus fruit-raising areas that were afraid that a metropolitan authority might interfere with their orchard heating during the winter months was partly responsible for the rejection of the area-wide special authority. City opposition made it inexpedient to authorize the county government, as such, to carry on a county-wide enforcement. The statute that was adopted took legislative recognition of the fact that certain areas of the state suffered from air pollution and, where in the judgment of the County Board of Supervisors such a situation existed, the county board was authorized to bring into being an air pollution control district and to invoke the powers provided in the act. The County Board of Supervisors became the governing board of the district with authority to appoint an air pollution control officer and subordinate employees subject to civil service procedures. It could adopt ordinances and provide for financing the district's operations.[18]

The Los Angeles County Air Pollution Control District was organized on October 14, 1947, in accordance with the state statute, and took over the organization and operations of the previous county organization. Air pollution research, licensing of equipment and industrial installations that emitted smoke, dust, and fumes, and the enforcement of regulations prohibiting pollution of the air became chiefly a county function through the vehicle of the special district. City governments were still able, however, to adopt municipal ordinances which might set a more strict standard than that adopted by the district if they chose to do so.

District-municipal relations have taken various forms. One of the first air-polluting activities that the district moved against was the open rubbish dump where rubbish was burned. Several cities operated burning pits. The district notified cities and private operators alike that this activity must cease. During the first year of district operation five cities notified the district that they had awarded contracts to construct municipal incinerators that would conform to the approved smoke abatement stand-

ards. These were Alhambra, Signal Hill, Glendale, Pomona, and Los Angeles.[19] Others followed at later dates, and others turned to different methods, such as cut-and-cover fills for rubbish disposal.

Another type of district-municipal relation developed in the policy-making field. Officers of the Los Angeles County Division of the League of California Cities, as well as officials of individual cities, have worked extensively with the air pollution control authorities in determining enforcement and control policies. From time to time, individual political leaders have publicly demanded that certain activities or industries be proceeded against. Some of the most effective enforcement work done by the district was accomplished, however, through committees representing various industry groups in the metropolitan area.

Periodically, friction has arisen between the district and some factions among municipal leaders. This has resulted from the fact that the district's research and enforcement program has not thus far completely removed the pollution problem. Occasionally the proposal has been voiced that the cities be given a formal share in the determination of enforcement policies by reorganizing the district so that it would cease to be an arm of the county government and would become instead a federated organization similar to the Metropolitan Water District of Southern California.

Districts in the Metropolis: A Summary

City-county rivalry, as well as co-operation, has been ever present in the functional programs that are represented by special districts. In almost every instance discussed here the special district was created to govern a program that involved more than one city and also involved suburban unincorporated territory. The county government came most nearly to being the metropolitan area unit of government. Yet local rivalries prevented assigning the function to the regular county government with responsibility similarly unified. The County Board of Supervisors operates in several ex officio capacities to accomplish the numerous tasks assigned to it. Although this system has worked reasonably well, it has tended to complicate the pattern of government. Addition of one after another of these ex officio types of relationships has placed the Board of Supervisors in a program of municipal administration. It is in a position to participate in policy-making regarding many activities, but it often lacks the authority and the position to co-ordinate policy in the interest of metropolitan-wide performance.

It is probably realistic that each problem of metropolitan government will be met and a solution attempted as each problem individually arises. A flood problem in 1914 produced a flood control district. A sanitation problem in the Los Angeles suburban fringe areas in the 1920's produced a county sanitation district system. This particular system also permitted the fringe areas to avoid annexing to the City of Los Angeles. A water problem was met by creating a metropolitan water district which again permitted the fringe areas to escape the politics of the integrators in the City of

Los Angeles. Now that each of these special district systems has been developed and has organized its own set of intricate intergovernmental relationships, it is difficult to visualize how the resources and the programs of the three can be co-ordinated to develop a common plan of water conservation. A preliminary approach was made toward co-ordinating the sanitation and flood control programs when the Board of Supervisors ordered the heads of those two programs to prepare a water reclamation and conservation study in 1950. This was but a preliminary. Any real solution will necessarily involve all three major agencies. Intergovernmental relations among many of these important special districts are lacking.

It must be said, however, that advantages have accrued from the intergovernmental rivalries as well as from the co-operation of several governments. The rivalry between the County Sanitation District System and the Los Angeles City contract sewer system has not been public and clamorous. When the city system was under most severe attack in 1947 there was serious discussion of transferring Los Angeles to the county district system. The latter was then enjoying a good reputation and good public relations. This threat of consolidation was one of the two or three factors that prompted quick action to resolve the city's problems. The county district system has more recently made a renewed bid for metropolitan attention by undertaking garbage and rubbish disposal for certain of its districts. Likewise, city officials of Pomona, Whittier, and Los Angeles have been inclined to criticize county flood control administration when their cities were affected by flood runoff. Sometimes this criticism has been a technique for diverting attention from local deficiencies, but in total the criticism has sparked the county district to achieve a better performance. City criticism of county air pollution control work has no doubt often been made partly for local political consumption, but the pressure of rivalry has also driven the district on to seek a higher standard of performance.

By means of the special districts and the intergovernmental relations that have been developed with respect to their affairs, a type of functional consolidation has been achieved. This functional consolidation represents a series of political expediencies. What is lacking at this stage is a metropolitan framework to bring these various entities together.

V. INTERCITY RELATIONS

In a metropolitan area such as Los Angeles wherein forty-five incorporated cities operate within close proximity of each other, units of municipal government can scarcely conduct their affairs as though no other city existed. Co-operation may develop to aid some undertakings. If there is no co-operation, friction is likely to exist. There can hardly be a vacuum in the relationships. This chapter will consider the relationships that have developed between cities when the municipalities have operated chiefly within their own territorial boundaries. The following chapter will discuss those relationships that have developed when one or more of the cities have gone outside their boundaries to carry on some function of government in the interest of their citizens.

Types of Relationships

Some relationships between cities have been formalized, and the conditions have been set forth in contracts which have been approved by the council in each city involved. This type involves agreements to spend money and to enforce rules and regulations. Because property use is involved and obligations of each of the co-operating parties require precise definition, such contractual obligations must be worked out carefully and be approved by the city's legal authority. The department of city government that is responsible for the program concerned often initiates the co-operative arrangement and works out the substantive details, although the city attorney's office must assist in drafting the contract. Finally, the city council is responsible for adopting the contract if the agreement is to bind the city's government.

The larger part of intercity relationships in this area depends upon informal relationships. The Los Angeles area has been fortunate in having a considerable number of high administrative officers who have a capable understanding of the requirements of their office and who find it desirable to seek the co-operation of their opposite rank in other city governments so that each may perform the tasks of his office more effectively.

Some of this informal co-operation is achieved by one fire chief dealing directly with the fire chief of another city on a specific problem of fire protection. Some of it is achieved by a meeting between all those officers who are inclined to co-operate to discuss problems of common concern and to arrive at a plan of action. A willingness on the part of top-rank officials to join and take an active part in professional associations has been an important factor in developing this co-operative approach. The means by which this co-operation has been brought about has varied widely. It ranges from an informal leadership exercised by one or more city officials who draw the department heads of other cities into informal co-operation to the more formal, institutional effort represented by the association of peace officers and by the special sections of the League of California Cities.

Two features require comment. One is the leadership role that has, on occasion, been exercised by individual top administrators in the City of Los Angeles. A fire chief, a chief of police, a city librarian, a city planner, a chief engineer of the Water and Power Department of the City of Los Angeles are each in a position to exercise considerable leadership among their associates of other cities in the area. Each heads the largest city department of its kind in the region and, furthermore, the territorial range of his responsibility brings his jurisdiction to the borders of many other cities. Several heads of these departments have accepted the opportunity and by informal means have assumed a role of leadership. In achieving this role, they have had to be willing to assist other cities' departments in such ways as have been made legally permissible. They have had success when it was apparent that their efforts were not dictated by any political plan to induce the other city to consolidate with Los Angeles. Mutual aid and concerted action to make a good record of performance in coping with their common problems have been the objectives of these efforts. The other feature that requires comment is the co-operative relationship that has been developed among city managers. Nationally, the city manager group has been highly organized on a professional interest basis. The professional managers have exhibited group consciousness to a marked degree. These attitudes have been reflected locally. Not only do the city managers seek to assist each other in the solution of municipal problems, but they have encouraged their staff officers and department heads to do likewise. Much of this effort has been on an informal, person-to-person basis. Occasionally, such informal relations have settled into a pattern that has continued for a period of time.

Much of the informal relationships that have grown up between administrators depends at least upon a tacit acceptance by the city council. When there is friction or rivalry between city councils, informal administrative relations may be suspended for a time. By the same token, those cities whose administrative officers are known to their fellows as the least co-operative usually are employed by city councils who are notably uncooperative in their relations with other cities and participate least in the various organizations that are concerned with municipal government.

Sanitation

There are two major sewage disposal systems operating within the Los Angeles metropolitan area.[1] One comprises the Los Angeles City system, which also serves eleven other cities, seven districts, and a number of other public and private agencies under a contract arrangement. This system maintains a treatment plant and ocean outfall at Hyperion on Santa Monica Bay. The second is the County Sanitation Districts system which serves unincorporated territory and most of the remaining cities of the metropolitan area.

Los Angeles made its first contract with an outside city when it contracted with Vernon in 1909. Los Angeles obtained the right to lay certain

sewers through Vernon streets in return for permitting the latter city to connect its lines with the trunk lines that were to be constructed. Both cities shared in the cost.

After Los Angeles reconstructed its major trunk lines and its treatment plant in 1923, it solicited contracts with a number of other cities. In 1923, it entered into an agreement with Glendale, whereby it obtained the right to run sewage from adjacent Los Angeles territory through Glendale mains and agreed to permit Glendale to connect with Los Angeles trunk lines. The size of the connections was specified in the contract, limiting the maximum flow that would be accepted. In 1924, it contracted with Manhattan Beach, Hermosa Beach, Redondo Beach, and adjacent unincorporated territory, all of which had been organized as a county sanitation district. (This contract has been canceled and the district has transferred to the county system.) In 1925, it brought the remainder of the Santa Monica Bay area within its orbit by contracting with El Segundo and Santa Monica. In 1924, it contracted with the City of San Fernando, a municipality which it completely surrounds. The agreement permitted that city to construct mains across Los Angeles territory to reach the San Fernando treatment plant. In return, San Fernando agreed to serve Los Angeles territory until Los Angeles completed trunk sewers in the San Fernando Valley. When that project was accomplished, San Fernando was to sell its plant to Los Angeles and would then connect with the Los Angeles system. San Fernando agreed to pay $130,120 and a proportionate share of annual maintenance costs after it joined the Los Angeles network. The amount of flowage granted San Fernando was limited by the contract.

Additional cities contracting with Los Angeles between 1920 and 1940 were Beverly Hills, Burbank, Culver City, Alhambra, Pasadena, and South Pasadena. (The latter three are now represented by County Sanitation District No. 16.) The federal government contracted with the city in 1925 for sewer service to the Veterans' Home at Sawtelle. In 1931 and 1934, contracts were made with the Universal Pictures Company and the A. F. Gilmore Company to permit service to those firms which operated in two "county islands" surrounded by city territory. Other contracts were made with meat packing firms located near Vernon for disposal of industrial waste.

The pattern of administrative activities followed in preparing the contracts in most instances was as follows: (a) negotiation of the substance of the contract by the Bureau of Engineering or by the City Attorney in collaboration with the Bureau; (b) review of the legal provisions by the City Attorney; and (c) approval by the City Council. Reciprocal conditions set forth in each contract were largely those that seemed appropriate to the principal officials in the Division of Sanitation and the Bureau of Engineering.

The conditions that existed in almost every instance in which a contract was entered into prior to 1944 for sewage disposal were as follows: (a) it was possible to dispose of sewage flow from the contracting communities into the Los Angeles system by gravity flow, and (b) it was convenient

for the City of Los Angeles to build its sewer mains through the other cities in order to serve portions of the Los Angeles area. Although the contracts varied widely in details, the following pattern was observable in the substance of the agreements:

1. The contracting city obligated itself to build connecting lines according to specifications laid down by the Los Angeles City Board of Public Works.
2. In most instances, the flowage for contracting cities was carefully delimited in the contract in terms of average daily flow and peak discharge. In some of the early contracts no specific limit was set. It was estimated at that time that the capacity of the outfall system was sufficiently in excess of current needs that adequate control of disposal amounts could be obtained by specifying the diameter of the connecting mains. In no instance did any contract carry a provision permitting the City of Los Angeles to cancel the agreement if that city required the additional capacity represented by the amount granted the other municipality.
3. The amount of sewage that Los Angeles could run through the contracting city's mains to connect with Los Angeles' major disposal lines was specified in the agreement also.
4. All agreements impose upon the contracting city an obligation to construct a gauging station to keep a check upon the daily flowage for record purposes.
5. Each city agreed to pay the City of Los Angeles a portion of the cost per year of operating the treatment plant and outfall sewer at Hyperion, calculated in the proportion that the contracting city's flowage bore to the total flow received at Hyperion.
6. All contracting cities agreed to enforce Los Angeles ordinances and regulations regarding the use of sewer facilities. These ordinances prohibited the disposal of certain types of industrial waste matter, and required that storm drains and catchment basins be so constructed that they did not drain into the sewer system.
7. Los Angeles obligated itself to keep the treatment plant and outfall line in good operating condition.
8. Although the contracts provided for sharing the annual maintenance costs, none negotiated previous to 1944 obligated any contracting city to help meet any new capital costs which might be required because of obsolescence of the treatment plant or the submarine tube. In some instances,

reference was made to renegotiation for sharing the costs of new lines at some future date. The contract with South Pasadena, entered into on May 8, 1940, was the first to make specific reference to sharing the cost of new construction or reconstruction of the Hyperion plant.

9. References to the life of the contract were equally vague. The usual statement was that the contract would extend for the period of time in which the outfall sewer system of Los Angeles was in operation. The phrasing of the early Vernon and Culver City contracts was particularly vague in this respect. As a result, legal counsel for both cities advised their city councils in 1946 that the contracts were perpetual and that neither city was obligated to share in the cost of the new construction that had been ordered by Los Angeles Superior Court in the suit which had been brought by the State Department of Health to force construction of adequate sewage facilities and to stop the pollution of the Santa Monica Bay beaches. This interpretation was not adopted by the c courts, however, and both cities ultimately contributed their share of the cost of the new construction.

In 1946, the State Board of Health instituted a suit in the Superior Court in Los Angeles County to force the City of Los Angeles and the municipalities and districts associated with it to cease polluting the ocean beaches with sewage from its overloaded and deteriorated sewer outfall line. The defense made by the associated governments that the management of the outfall system was a Los Angeles responsibility and therefore that the correction of the nuisance was solely a Los Angeles responsibility was rejected by the court. The associated units were held jointly responsible for the condition. Each was given the option of establishing a sewer disposal system of its own which would conform to State Department of Health standards or of contributing a proportionate share of the cost of building satisfactory new facilities for the joint system. A few of the units, notably those municipalities that comprised the South Bay Sanitation District, arranged to shift to the County Sanitation Districts system. Ultimately, the other cities and districts that had been members of the Los Angeles system renegotiated contracts with the City of Los Angeles to conform to the court order.

The general principles of the earlier contracts were followed in the new agreements, but new features were included to meet some of the problems that had arisen. The new contracts adhered closely to a standard pattern. One of the new features was a proviso that where a contracting city did not use the full amount of capacity allotted to it by the contract, the City of Los Angeles could reassign the excess flowage rights to another city temporarily and adjust the service charges made to the respective units. Such a transfer did not alter permanently the basic allocations made

in the contracts. Another point that was exceedingly important permitted renegotiation of a contract and allowed Los Angeles to recapture unused flowage rights that were not being used by any contracting city, providing that the second city agreed to the alteration. Furthermore, it was specified in each contract that Los Angeles did not undertake to sell additional flowage rights to any city above those specified in the contract. In these respects, Los Angeles attempted to protect its interests in the use of the system in the event that its own needs increased in the future.

With a view to avoiding arguments about the rights of the contracting cities in the future, most of the new contracts specified that the agreement was to remain effective only for the estimated life of the outfall sewer line and treatment plant. The first group of new contracts placed the estimated closing date at 1965, so far as the outfall sewer line was concerned, and 1987 so far as joint use of the treatment plant was involved. The contract with the City of San Fernando was limited to ten years, although a renewal for an additional ten years was permitted.

The new contracts were specifically based upon the 1946 court decision which in turn had approved a plan of allocation of the use of the facilities, measured both in terms of millions of gallons per day and of percentage of the total capacity, and an allocation of the costs of the new construction. This plan had been proposed to the court by the City of Los Angeles. Each contracting city accepted the allocations set forth in this plan, although at least two cities accepted contracts only tentatively at first until their percentage allocation could be discussed further. In some instances contracting cities arranged to pay their shares of the costs in installments as the construction work progressed.

Los Angeles, in its portion of the contracts, renewed its pledge to maintain the treatment plant and disposal facilities in a manner that would prevent a nuisance from arising. In turn, the contracting cities agreed to enforce Los Angeles ordinances pertaining to use of the sewers and discharge of substances into the lines. These ordinances had been enacted with a view to protecting the physical plant against unusual deterioration or abuse. By terms of the agreement, the other cities undertook to give the Los Angeles regulations the same force and effect within their borders as though they had initiated the regulations themselves.

During the time that the suit against the group of cities was in litigation, the desirability of a co-operative undertaking was reviewed and found to be the most practical alternative. Each city was given the alternative by the court of constructing its own sewage disposal system However, in each instance it was found that lack of available sites within the metropolitan area for new disposal plants made separate activity undesirable. Furthermore, the cost of separate construction was greater than the cost of a share in the joint system. In the case of the smaller cities it was estimated that the cost of constructing approvable new facilities for the city separately would exceed the city's financial capacity. Some form of intergovernmental co-operation was clearly advantageous to all units involved.

One type of limitation to the joint-city contract type of arrangement has been demonstrated by efforts to cope with sewage problems since the new disposal facilities have been built. The San Fernando Valley area of Los Angeles has experienced an enormous growth in recent years. The adjacent cities of Glendale and Burbank, both of which contract with Los Angeles, have likewise grown very rapidly. Sewer trunk line facilities serving this area have become inadequate to meet the increased demand. Furthermore, the original lines were built to follow the natural contours of the land in order to take advantage of gravity flow as much as possible. This has resulted in sewage from the valley area flowing an extremely long distance to reach the treatment plant at Hyperion. This situation in turn increased the problems of maintaining satisfactory sanitation. To relieve this situation, Los Angeles has undertaken to construct tunnels through the Hollywood Hills to connect the valley lines with lines in the central area by a much shorter route. Before these tunnels could be completed, the volume of discharge into the mains in the valley at certain peak periods had exceeded the capacity of the mains. Los Angeles thereupon proposed to construct a settling basin on city-owned land in the valley. The City of Burbank has objected to the latter project, alleging that a nuisance would be created for the residents of Burbank who live near the proposed Los Angeles project. Under the contract arrangement, the City of Los Angeles bears the responsibility for initiative and for decision-making alone. The alternative actions that are available to the contracting cities if they disagree with Los Angeles are to construct their own facilities or to protest to the City of Los Angeles. If this joint system is to remain, as it appears likely to do, a plan whereby the member governments could participate in making decisions concerning the joint system would have considerable advantage. Administration of the engineering responsibilities that would implement the decisions could very well be assigned to the respective cities in much the same fashion as each performs its work at present. As each of the cities increases in population and in industrial development, problems similar to the Burbank case are likely to arise. Other problems of mutual or joint interest will arise. As the time approaches when the capacity of portions of the existing network of trunk lines is inadequate, what process will be available to decide upon a line of action? When the plant at Hyperion requires reconstruction or renewal, must the process of court suit against the cities be repeated to obtain a specific program of action? At best, this method is extremely slow. It is crisis-solving action.

Electric Power

When the Los Angeles Department of Water and Power entered into agreements with the federal Bureau of Reclamation for purchase of hydroelectric power generated at Hoover Dam, it also contracted with the municipalities of Burbank, Glendale, and Pasadena to transmit power for those cities over its lines from this source. Each of these contracts was entered into on September 24, 1931, and is to continue until May 31, 1987. These

contracts enabled the three smaller cities, each of which has a municipal power distributing system, to share in the power developed at Hoover Dam without having to build transmission lines paralleling the Los Angeles grid.

Modifications or additions to these earlier contracts have furthered the co-operation between Los Angeles and the other three cities. In August 1944 the Burbank contract was modified to permit that city to participate in power reserves of the Los Angeles department. Burbank agreed to a minimum charge of $5,000 per month for purchase of such power. In 1943 a contract with Glendale permitted Los Angeles to purchase surplus power generated by the Glendale steam plant. This contract has no fixed terminal date. A contract negotiated in 1945 with Pasadena provides for sale by Los Angeles of surplus power at rates which will vary according to the source of energy.

This type of contract has been mutually advantageous to the cities participating. It is based upon a principle of co-operation. Charges are calculated upon a specific, agreed-upon basis. The type of leadership exhibited by the larger city is based upon an enlightened self-interest.

Library

The interlibrary loan of books is one of the established methods of interagency relations. This practice is nation-wide and involves co-operation among private libraries as well as those that are publicly supported. Special items are borrowed as need arises.

Municipal tax-supported libraries usually loan books directly only to residents of the municipality. Anyone, regardless of residence, may use the reference collections and read the books in the public reading rooms.

In a metropolitan area, municipal boundaries may appear arbitrary to the person who resides near the city limits. This is especially true when a municipal service provided by the adjacent city, such as a public library, is nearer the person's residence than the facilities that are provided by the city to which he pays taxes. Public library buildings are located in accordance with a number of factors, including population concentration, neighborhood needs, and other social and economic factors. If two adjacent cities maintain libraries in the same social community near their borders, they are probably overserving a social community that cuts across the boundaries of the municipal governments.

Los Angeles City, the county library system, and seven additional cities have entered into contracts for reciprocal use of library materials. The contracts pertain to registration for borrowing privileges, permitting residents of one jurisdiction or area to use the library facilities of the other. No money is exchanged between the contracting agencies.

State enabling legislation has authorized cities and counties to make such contractual arrangements.[2] Cities contracting with Los Angeles have included Alhambra, Burbank, Glendale, Santa Monica, and South Pasadena, which are adjacent to Los Angeles. Pomona and Long Beach, although separated from the larger city by several miles, have also had contracts.

(Pomona failed to renew its contract in 1951.) Some of the contracts have been for three years' duration, others one year, although the three-year term has been preferred by the Los Angeles officials. The contracts were drawn by the City Attorney's office and approved by the City Council.

The City of Los Angeles and the county library system both maintain branch libraries. These reciprocal use contracts make it possible for residents in rapidly growing, new areas to make use of the nearest public library branch. The Pacific Palisades area and portions of the Venice section of Los Angeles are nearer the Santa Monica City Library and may be served by it. The county library system serves the City of Inglewood, and the county branch library located in Inglewood is near portions of the newly-developed Westchester section of Los Angeles and can serve that area. The City of San Fernando is served by the county system also. Under a reciprocal use contract San Fernando residents may also use Los Angeles City branch library facilities at Van Nuys or other parts of San Fernando Valley. Until Los Angeles established a branch at Pacoima in 1951, the county-supported library in San Fernando served that outlying portion of the city. One additional feature of the contract system is that it enables officials and employees of the contracting system to make use of the large specialized collection that the Los Angeles system has built up pertaining to municipal government and administrative problems.

The contract with the county enables Los Angeles City residents living near some of the county "islands" in which county branch libraries are maintained to use that system. City residents thus could use the West Hollywood county branch. The West Hollywood island is surrounded on three sides by residential areas of the City of Los Angeles.

Los Angeles City probably serves more residents of the contracting cities than the others serve Los Angeles' residents, although detailed figures are not available. This apparent imbalance is caused partly by the fact that the Los Angeles public library has a larger and more varied collection than any of the cities with which it contracts. It appears by inspection, however, that the imbalance is by no means serious. The agreements have aided Los Angeles in supplying areas that have grown rapidly in recent years and have permitted a more rational consideration to be given to the location of new branches. The most rational planning of library plant facilities might well be made on a metropolitan basis, locating branches where population density and other factors made them most desirable, regardless of municipal boundary lines. The reciprocal use contract goes part of the way to meet that condition. At least it removes some of the pressure upon municipal administrators to plan for their city as a completely separate entity.

Fire Protection

Two types of intercity co-operation exist in this area in fire protection work. One is the informal administrative understanding which depends upon gentlemen's agreements made between fire chiefs and is made effec-

tive by the chiefs' decisions to send equipment when requested or called on specific occasions. The other is more formal and is based upon mutual aid agreements approved by the councils of the co-operating cities.

The Los Angeles Fire Department is a leading exponent of the informal agreement. It has been the policy of this department to render assistance to other fire departments when called upon, but its leaders under several administrations have declined to commit the city to formal agreements. Several reasons have moved the department to aid other fire departments. As a large department with much equipment and a large number of companies stationed throughout the city territory, it has felt that it would be severely criticized by public opinion if it arbitrarily declined to aid in putting out large fires. Furthermore, the thinking has been that fires which originate at the city's boundaries may endanger property that lies within the city's jurisdiction, and therefore it is argued that the department cannot take a notably passive attitude. Finally, it has been the conviction of the department leaders that this, the largest department in the area, should exercise leadership and that it can only do so by aiding other departments when the latter are in need. The department has declined to make contracts for this assistance on the ground that to do so would diminish the flexibility of administrative discretion and would commit the large city specifically to devoting equipment and personnel to the service of others to the detriment of the city's taxpayers. A fear has been expressed that if a contract existed the city's fire chief could not withdraw equipment from fighting a fire in another jurisdiction to answer calls within the city if need to do so arose.

Most fire chiefs in the metropolitan area have informal understandings to render aid to other departments. These understandings concern different types of situations. One concerns responding to fires on the border of the city. Most of the cities with this kind of situation have a policy of responding without seeking specific approval by higher authority. The procedure permits the equipment of the first city called to respond. Initial action will be started on the fire and work will continue until the proper jurisdiction has been determined and the equipment from the other department arrives. For example, on occasion a Los Angeles fire company has responded to an alarm only to discover that the fire lies within Beverly Hills territory. Fire lines are laid and work progresses until the Beverly Hills department arrives and takes over management of the equipment already in use and completes the work. Another type of agreement concerns special hazards. An example of this is an understanding between Los Angeles and Long Beach regarding fires in an industrial plant that lies between the two cities. If either department receives a call from that critical location, it notifies the other and both respond.

The informal administrative understandings have been developed out of periodic conferences between fire protection officers of the area. Group meetings are conducted on an average of every six months.[3] Through this means fire department heads are made aware of fire protection problems

within the area, the situation of the various departments, and the attitudes of the fellow chiefs. Understandings regarding assistance are developed in such circumstances.

Another type of situation arises when a fire chief finds that a fire demands more men and equipment than he has under his jurisdiction, and he must call for assistance from another department. The policy of the Los Angeles department with regard to responding to such requests has been to refer each call to the Chief Engineer of the department to determine the action to be taken. Individual companies may respond to a borderline fire, but approval of the chief is necessary to proceed to another city to lend assistance. When a decision is made to dispatch equipment to aid another city, a stand-by and cover plan is put in operation to ensure that the Los Angeles territory remains fully protected by companies at other stations in the city.

The City of Vernon, a notably industrialized city, for many years depended heavily upon Los Angeles for assistance in case of major fires in the industrial area. This dependence has been reduced as the smaller city has built up its forces. Many industrial concerns in its area also maintain plant fire fighting equipment. The four cities of Hermosa Beach, Redondo Beach, Manhattan Beach, and Torrance maintain a verbal agreement to assist each other.

A relatively few formal contracts for fire service have been worked out between the cities. In December 1941, six cities and two county fire protection districts entered into a mutual assistance contract. The cities were Bell, Huntington Park, Lynwood, Maywood, South Gate, and Vernon. The first five are chiefly residential and the latter is almost entirely industrial in make-up. The area covered by this agreement amounted to slightly over twenty-eight square miles. The jurisdictions are contiguous. The agreement authorizes each fire chief to exercise discretion in sending equipment to assist any other contracting jurisdiction. He is directed to have due regard for the interests of the jurisdiction that employs him. Assistance may be given only to the jurisdictions that are parties to the agreement to reciprocate. An earlier agreement had existed between Compton, South Gate, and Lynwood authorizing the respective fire chiefs to send equipment outside the city limits if the other municipality agreed to reciprocate. An agreement between Bell and Maywood had similar provisions. The latter agreement permitted chiefs of either city to loan hose and other equipment to the other city for short periods.

The cities of Monrovia, Arcadia, and Sierra Madre have had a formal agreement for mutual aid in fire protection since 1938. This plan is to meet emergency conditions only. If the chief of one city responds to the call of another city in the group, he may then notify the third city and request that it stand ready to protect his city. There is no payment made to any city responding to the calls of another in the group. Another similar contract or agreement has been made between Azusa, Glendora, and Covina. None of these groups have had much occasion to use the contracts.

It is difficult to see any real distinction in relations between the cities that operate under informal administrative understandings and those operating under formal commitments for mutual aid. In either case, the decision to act must rest with the fire chief in specific instances. His first responsibility is to protect lives and property within his own jurisdiction. State law permits cities to contract with each other for fire protection, and the exercise of such authority in drawing up a formal agreement may serve chiefly to protect the fire chief who works co-operatively with other chiefs from criticism or liability for so acting. Legal staffs in the City of Los Angeles have advised for several years that the fire chief could send personnel and equipment outside the city if in his judgment doing so would protect property within the city from fire hazards. In the last analysis, the matter rests heavily upon the judgment of the chief officer as to how his legal responsibilities can best be carried out. In a central section of a metropolitan area fire hazards do not follow municipal boundary lines. A similar situation exists where several cities border on the brush-covered foothills. A somewhat different situation exists where cities are not adjacent or are not part of a general urban development.

The state Mutual Aid Act carries out the idea of a formal legal commitment for cities to aid each other in fire fighting or in conducting other similar emergency actions. The legislation was prepared by the legal counsel for the League of California Cities and was adopted by the Legislature in 1940. It was adopted as part of a program that was to bring about intergovernmental co-operation to meet the problems of civilian defense in wartime and to provide a sufficiently broad framework so that other emergencies could be met. One of the major purposes of the act was to attempt solution of numerous legal problems that had been raised in previous years concerning operations of a local government in sending men and equipment outside its limits to aid other jurisdictions. The act provides that a specific responsible local officer may determine that an emergency exists, and then the statute authorizes the city to send men and equipment as requested by another jurisdiction. The legal liability question is met if the procedures are followed. Cities have been urged to parallel this statute with local ordinances authorizing the fire chief to operate in this fashion and to authorize the expenditure of city funds for this purpose. At best the Mutual Aid Act probably gave state approval and sanction to a system that had been in operation informally for several years within the Los Angeles metropolitan area.

Police

Co-operation between the police departments in the metropolitan area exists on an informal basis. No formal written agreements have been entered into. The Los Angeles Police Department, by reason of its size and the opportunity to maintain specialized programs, takes a leading role in intercity co-operation. At one time this department's radio station handled broadcasts for other police departments, but as radio traffic for

this and the other cities increased, the practice had to be abandoned. Other cities established their own stations under Federal Communications Commission permits. Some of the closely adjacent cities co-operate with each other in broadcasting calls. The City of Los Angeles continues to handle messages for a number of other agencies, including the Federal Bureau of Investigation mobile units, Navy shore patrol units, Army intelligence units, the University of California police, and emergency hospital ambulances serving the cities of Bell, Maywood, Lynwood, South Gate, and portions of the City of Huntington Park and the Firestone area of the Sheriff's county jurisdiction.

The City of Los Angeles makes the facilities of its crime laboratory available to other counties, cities, and armed forces, state, and federal agencies in individual instances. These services are provided without charge. Information on file in the Los Angeles department regarding criminals being sought by other agencies is supplied. Most of the larger police departments in the area conduct similar arrangements.

An outstanding example of informal co-operation in policing is the arrangement for traffic management for the Rose Bowl parade in Pasadena on New Year's day. The City of Los Angeles and the Sheriff's department permit their off-duty officers to become temporary members of the Pasadena Police Department for that occasion. This is arranged for well in advance of each event. The arrangement has been conducted for many years.

A different type of example is in police recruit training. The City of Los Angeles has maintained and developed a police academy where recruit training is conducted and some refresher training is carried on. The police academy takes in officers from other cities, states, and foreign countries for training in the same program as Los Angeles' officers. No special classes or events are arranged for the outsiders; hence, this co-operative program involves no added expense to the city. It does contribute to improving police work of other departments, and it improves mutual understandings and working relationships between the several departments. It has also been a means whereby smaller cities could obtain the services of trained and experienced officers for the top position.

Other Means of Relationship

The League of California Cities

An important element in intercity relations within the metropolitan area is the League of California Cities. Basically the League is a state-wide organization, but for more than ten years the Los Angeles County Division has played an important role in bringing city officials together for the consideration of mutual problems. The state-wide League is composed of cities of all sizes and forms of government. Mayors and councilmen constitute important representatives of their cities within the organization inasmuch as they determine whether their city will maintain membership and they appropriate the dues for its membership. Sections of the League

are devoted to affairs of interest to administrative officers, such as the city attorney, city manager, planner, treasurer, and similar officers. The headquarters staff provides advice and information to member cities on problems that confront the city officials. This has been an important service that has helped cities to improve the performance of their duties, and it has fostered a co-operative approach to municipal problems. By means of an annual state-wide conference and periodic regional conferences, the League and its staff have also aided the cities and their officers in the discussion and study of their common problems.

The League has exercised an effective role for more than twenty years in influencing legislation that is of interest to cities as a group. Objectives of the organization have constantly included the protection of municipal government, financially, administratively, and politically. Legislation such as the Mutual Aid Act has been drafted by the League staff in an effort to clarify the law on a subject that was important to intercity co-operation. Legislation pertaining to municipal powers, taxation, annexation of territory, and similar matters has been the special interest of the organization. The League has played a prominent part in the legislative actions pertaining to distribution of the state-collected gasoline tax, and the setting of state standards for prevention of water pollution. In the 1951 and 1953 sessions it was preoccupied legislatively with the question of the metropolitan "fringe" areas, and therefore with the related questions of annexation, special districts, and city-county relations. The League representation has been aggressive and has been effectively organized to present a program that was supported by a broad area of municipal officialdom. In general the League has taken a stand on legislation that was of interest to cities as a group. It has avoided the split that has occurred in similar organizations in other states—the split between the very large metropolitan-center cities and the smaller cities in the remainder of the state.

A legislative strategy of the League within recent years has been to foster legislation that would induce all urban areas to come within the boundaries of municipal governments. Therefore, its aim has been to encourage incorporation of communities that were financially able to do so, and to bring about annexation of fringe areas to adjacent municipalities.

Within Los Angeles County the League has developed a geographic division comprising representatives of the cities within the area. Monthly meetings are devoted to business and to socializing. Legislative proposals of state-wide interest and intercity problems of regional importance are discussed. Mayors and council members become acquainted and learn of problems faced and solved in other cities. A series of committees appointed by the division's officers study specific problems that affect the cities of the area and propose policies to the division for discussion. These committees comprise city managers and chief administrative officers as well as city council members. Committees of this group have been particularly active on air pollution control matters and on the conduct of special districts. Although the local division of the League remains a somewhat

loosely-knit organization, it has provided means for study and discussion of intercity problems. When tied in with the state-wide organization it has provided a strong element in the determination of legislation and local policy that will affect the government of the metropolitan area of Los Angeles.

VI. EXTRATERRITORIAL POWERS OF CITIES

The Municipalities Reach Beyond Their Borders

California cities have developed a number of functions, the full exercise of which has produced situations in which it has been both desirable and necessary to proceed beyond the municipal limits. In the latter part of the nineteenth century they began to organize municipal water works to supply water to domestic and commercial users. Small cities that were favorably situated could depend upon wells sunk within the city limits for a water supply, but when cities began to grow, as Los Angeles did after 1900, it became necessary to seek beyond the city limits for water rights in flowing streams in watersheds far removed from the city. In that same era, growing cities discovered a need for a municipally owned and operated sewer system. Popular feeling made it desirable for city councils to seek sites for treatment plants and sewer farms beyond the city's limits. A few cities also undertook to develop hydroelectric power in conjunction with the municipal water systems where mountain streams were the source of their supply. In a few instances municipalities sought to operate street railways to serve their inhabitants. In operating these various utility enterprises it became necessary for the success of the operation that the city own and operate property outside the city limits as well as within them.

Several cities in the Los Angeles metropolitan area have gone outside their official boundaries to conduct certain municipal activities in the interest of their inhabitants. For example, Los Angeles and Pasadena operate water systems involving water-bearing lands, aqueducts and conduits, dams, and other public works situated far outside the city. Los Angeles City water mains extend along rights-of-way under the streets of Beverly Hills in order to serve nearby portions of Los Angeles. Several of Los Angeles' sewer mains extend through the streets of Burbank, Glendale, Vernon, Santa Monica, and Culver City. In turn San Fernando, Santa Monica, and Culver City sewers extend through Los Angeles' streets to connect with major trunk lines operated by the latter municipality. Los Angeles' great power grid from Hoover Dam runs through the municipal boundaries of South Gate and Huntington Park. Santa Monica, Culver City, Gardena, and Torrance operate municipal bus lines that extend into the territory of surrounding municipalities. In fact, the exercise of extraterritorial powers by cities is an important part of the story of intergovernmental relations in this metropolitan area.

By far the greater number of municipal activities which reach beyond the municipal boundaries are those which might be called service activities. Most of them might be classified as business-type or utility functions, which include water supply, hydroelectric power generation and distribution, and operation of municipal bus lines. On the other hand, provision of recreational facilities and parks is a service function, but one that has long been regarded as a governmental activity. The disposal of sewage and industrial wastes is a governmental service that is highly necessary if urban

living is to be continued under high standards of living. Many cities in this area have found it necessary to go afield in disposing of wastes, and to burn or otherwise dispose of trash and rubbish.

A lesser field of municipal extraterritorial activity has involved exercise of regulatory powers. Although a few cities that were particularly alert to protect the municipal milk and meat supply sent inspectors to dairies and slaughterhouses outside the city limits, most municipalities have been reluctant to extend their inspections so far afield. The state has regarded this activity as being more within the province of the state and federal governments.

Development of the Law

The Judiciary and City Expansion

A few enterprising California municipalities undertook the exercise of extraterritorial powers in the 1880's, although specific authority for the exercise of these powers was not then entirely spelled out. The attitude of the courts proved to be favorable, for the most part, to the exercise of extraterritorial powers, especially where such exercise followed closely after the employment within the city of a power that had been specifically granted. For example, cities were authorized by statute in 1891 to acquire water, water rights, reservoir sites, rights-of-way for pipes and aqueducts, and all other property and appliances suitable for supplying water to cities' inhabitants.[1] The courts ruled that for proper corporate purposes, such as those enumerated in the statute, municipalities might hold property and perform contracts beyond the municipal limits.[2] The decisions in two other cases, each involving construction of sewer works, indicated a realistic policy that was soon to be recognized both by judicial decision and statute law. In the first case the court determined that a city might build its sewer lines along and through the streets of an adjoining city if such action were necessary to permit a connection with the municipally-owned sewer farm that was located several miles outside the city limits. The court refused to regard an underground sewer as a menace to the inhabitants of the city through which the line ran so long as the city undertaking the project conformed with state health regulations.[3] The second case, McBean v. City of Fresno, became a leading case on extraterritorial powers. In this decision the court took a broad view of the problem and outlined a very helpful rule: that if the exercise of municipal powers extraterritorially was necessary and proper to the performance of expressly granted powers, such exercise was valid.[4]

Had the decisions of the state courts been other than they were in these early cases, the cities would have been forced to go to the Legislature for an amendment to the Municipal Corporations Act or for amendments to their city charters each time they desired to undertake an activity beyond their city limits. It would have been necessary to spell out each matter separately. The Legislature was rather tardy in extending specific

statutory authority to the cities to exercise extraterritorial powers, although it is apparent that the attitude expressed by the courts in the cases discussed above met the needs of the municipalities for several years, and thus relieved the pressure that might otherwise have been brought upon the Legislature.

Municipal Growth Calls for Expanded Law

Development of the law that made it possible for the cities to exercise fairly extensive extraterritorial powers paralleled the economic and social development of the two major metropolitan areas of California, the Los Angeles region in the south and the San Francisco bay region in Northern California. In developing the law it was necessary first to overcome certain negative aspects that had been handed down from an earlier conception of the role of municipalities. Next it was necessary to develop rules of law and procedures that would satisfy the several objectives of municipal leaders in many rapidly-growing cities. As might be expected though, there came a time when a policy had to be worked out which would adjust the claims of rival cities as the exercise of extraterritorial powers by one collided with that by other municipalities.

American law has regarded city governments as agencies created chiefly for the purpose of serving the inhabitants of the city. Therefore, it has been a basic canon of law that, without express permission from the state, city governments may not extend their jurisdiction beyond the boundaries of the city either for the purpose of enforcing regulations or to provide service. This concept arose in part from the fact that the financial support of city governments was derived chiefly from taxes upon property within the city.

The City of Los Angeles was among the first in the state to commence undertakings that required extraterritorial exercise of municipal powers. Certainly that city had the most extensive plans, extensive both in terms of the number of functions involved and in terms of the amount of territory to be covered. Consequently it is not surprising that when the Legislature was asked to legislate for the cities, the officials of the City of Los Angeles caused the bills to be introduced or they sought to have bills amended in a manner that would meet the needs of that particular municipality.

The Legislature Provides Enabling Acts

In 1909 the Legislature authorized the council of any city to permit any other city to construct and maintain sewers, water mains, and other conduits through the city's streets.[5] A city council that sought to use the streets of another in this manner was required to declare by resolution that the location of the municipality, or a part of its territory, was such that it could not be adequately or conveniently served unless the sewer or water main crossed or ran along the streets of the other city. Copies of

this finding and resolution were to be sent to the other city council, together with exact descriptions of the proposed works and their proposed locations, and a request to use the streets for the specific purpose. A city council receiving such a request was authorized to grant permission subject to such conditions and terms as it might prescribe. Presumably the request could also be denied, in which case the applicant city had no recourse.

If the applicant city were seeking to construct sewers through the streets of a neighbor, the neighbor city was authorized to make the condition that it be permitted to connect with the sewers that would be constructed, and pay a proportionate share of the cost of construction and maintenance. This proviso became the basis for much of the intergovernmental relations that the City of Los Angeles entered into when it developed a city-wide sewer system.

At the 1911 session of the Legislature permission was given to any city to construct water and gas mains, electric power and light lines, and telephone and telegraph lines along any street or highway. Where the use of the streets or alleys of another city was involved, permission must be obtained from the other city. Achievement of this permission was rendered difficult, however, by the requirement that a municipality could authorize use of its streets only by a vote of two-thirds of the city council.[6] In 1915 an amendment that was of interest to the City of Los Angeles was made to this statute. This eliminated the requirement of permission by the other city if the route selected for the construction was necessary or convenient and if the area where the project was to be located was in unincorporated territory at the time the plans for construction were adopted.[7] When the City of Beverly Hills sought to prevent the City of Los Angeles from laying water mains through the former's streets to serve the West Los Angeles and Wilshire districts with water from the Franklin Canyon reservoir, the courts ruled that the failure to receive Beverly Hills' permission was not a fatal defect because the work had begun before Beverly Hills was incorporated as a city.[8] While this decision did not endear the "City of Angels" to the residents of this new neighbor who had incorporated to escape annexation to Los Angeles, it was a sound decision in terms of metropolitan development. Beverly Hills lay squarely in the path of the direct route by which Los Angeles was to distribute its Owens Valley water supply to its western and southwestern areas. If Beverly Hills could have blocked the construction of a distribution system at that stage of development, Los Angeles would have been forced to realign a major section of its development program that was already far advanced.

The People Take a Hand in Policy

In 1911, the political forces advocating municipal ownership and operation were at a peak of their influence in California. This situation was bound up closely with the Progressive revolt in state politics. Interest in municipal government and respect for municipal leaders in the state was

high, and municipal self-government was looked upon as a very meaningful thing. At the general election of 1911 municipal ownership advocates succeeded in amending the State Constitution to authorize municipalities to purchase or develop public works to serve their inhabitants with light, water, power, heat, transportation, telephone, or other means of communication. This same amendment specified that municipalities might supply the same services to inhabitants outside their limits, providing that if such services were to be offered in another city that performed similar services, permission of the council of the other city would be required.[9]

Although this amendment established in the fundamental law of the state the principle that cities could undertake the various types of utilities mentioned and that they could undertake them outside the limits of the city if necessary and desirable, it did not provide for a reconciliation of views when consent broke down. Clearly the implication of the 1911 amendment was that if the city through whose streets the project was to be built withheld its consent, the construction could not proceed, unless that city had been incorporated after the plans had been adopted. Soon after this statewide policy was adopted, the City of Los Angeles faced a situation that boded ill for many of its plans for utility works. This city was ringed on the east and south by a cluster of newly-incorporated cities that were organized during the "boom" years of the 1920's, and the west boundary was shared by another group of cities and by the Pacific Ocean. Water, electric, or sewer systems constructed by Los Angeles after 1921 to serve its far-flung territory were likely to cross other municipal boundaries.

In 1923, the Legislature adopted an act designed to provide machinery for resolving possible deadlocks between municipalities. Cities were authorized first to seek permission of the city council of such cities as lay within the path of the proposed water or gas main, electric light or power line, or sewer. Again the councils were authorized to set conditions concerning the location, use, and maintenance of the works. However, if after three months of negotiation no agreement could be reached, the city that had made application for use of the streets could then bring action in the superior court of the county in which it was located and pray that terms and conditions and location be determined by the court.*[10]

Extraterritorial Powers in Practice in a Metropolis

Problems Arise: The Suburbs Test a Practice

The 1923 statute became the basis for legal actions by the City of Los Angeles in obtaining a right-of-way for a huge overhead power line bringing

*In 1933 a new section was added to this legislation prohibiting the use of the streets of a city by another for construction of a sewer main if the purpose of the construction was to reach a sewer outlet in the Pacific Ocean which would be within one mile of the other municipality. While this was probably a wise policy, it smacked largely of special legislation.

electric power from the generating station at Hoover Dam to the city. In 1923 and 1924 the city began planning for the construction of this line. The route selected by the Los Angeles engineers, after many surveys, lay through the incorporated areas of South Gate and Huntington Park. This route avoided much of the heavily built-up area on the east side of Los Angeles and entered the city at a point nearest to sections that were developing very rapidly and which would require electric power supply. Most of the city's previously-constructed lines approached the metropolitan area from the north. The struggle to obtain permission to construct the new line through the two east-side cities was long and bitter. Neither city council was willing to give permission.

During the course of the negotiations Los Angeles acquired a strip of land through the two cities, paying private owners in excess of $2,000,000.[11] After acquiring this strip, Los Angeles requested Huntington Park and South Gate to agree on terms and conditions for constructing and maintaining the transmission lines across or along streets. No agreement was reached, and in accordance with the 1923 statute Los Angeles applied to the superior court in 1926 for adjudication of the dispute. The trial court determined that the Los Angeles plan was the only feasible one under the circumstances and ruled in favor of the applicant's request for permission to proceed on the route. In the same action, though, the court discovered that there would be some property damage and that depreciation of property values would result from the construction of the line through the two cities. It determined the extent of a zone in which such damages would likely occur, and thus prepared the way for property owners so affected to recover damages.

The legal controversy continued for another ten years, however. First, the cities of Huntington Park and South Gate challenged the validity of the 1923 statute, alleging that it constituted special legislation and that it contravened statutes authorizing cities to deal with internal municipal affairs. Higher courts upheld the constitutionality of the statute.[12] In the next effort, judgment of the trial court was appealed. While the appeal was pending, the two cities attempted to have the State Supreme Court enter the case, but the latter refused to intervene.[13] Work proceeded on parts of the power line outside the cities, and the line drew closer to the metropolitan area. South Gate and Huntington Park both adopted ordinances dealing with power lines and with zoning which Los Angeles contended would, if the ordinances were held to apply to this proposed line, prevent that city from erecting the overhead wires that it proposed to do in accordance with the plans that had been adopted some years before. As the construction approached the metropolitan area, Los Angeles sued the other two cities to clarify its rights and position. In this action the appellate court sustained fully the judgment of the trial court, which had held that Los Angeles had conformed to the specifications of the 1923 statute and that by so doing it had availed itself of the state's grant of authority to proceed along, across, or through the streets of its neighbors, and that the conditions set by the

trial court were entirely proper.[14] Construction was thereupon completed and the line placed in operation.

Problems: Water Becomes Precious

Two cities in the Los Angeles metropolitan area have developed municipal water systems that are major enterprises, but in developing these systems they set off a series of controversies that often involved intergovernmental relations to a large extent. In 1903 the City of Los Angeles purchased the chief water company that served the original portion of the community. Within a few years, the city began to seek additional water sources. Successful efforts to acquire water resources in the Owens River Valley in Inyo County and to bring the water to Los Angeles by aqueduct set off a train of events and policy decisions that had extremely broad ramifications. These matters will be discussed at a later point in this chapter. Suffice it to say at this point that the success of Los Angeles in acquiring a water supply, as well as the manner in which the city managed this acquisition, caused the leaders of other municipalities to fear that this city would draw the economy of the area entirely within its orbit. Some cities, such as Pasadena, set out to secure water resources sufficient to protect their own estimated future needs.

In 1908, the City of Pasadena purchased the properties of the chief water company in that area. Increase in the population and territory of the city led the city officers to exhibit a lively interest in ground water resources, particularly in the Arroyo Seco. Considerable areas in the Arroyo were annexed to ensure Pasadena control over them. Wells and pumping stations were established there. When the Los Angeles County Flood Control District was established by legislative enactment in 1915 to control flood run-off in the drainage channels in the metropolitan area, Pasadena was concerned with the district's plans. One of the earlier flood control dams constructed by the district was that at the Devil's Gate in the Arroyo Seco in Pasadena. Waters impounded there were conserved.

In 1924, Pasadena sought to go afield for water. It applied to the United States Forest Service for a permit to construct a dam at Pine Flat in the San Gabriel Canyon and to the state for permission to divert water impounded by the dam for use by the city. Both permits were granted, but the diversion of water from the San Gabriel watershed was contested in the courts by municipal and rural water users in the area below the proposed dam. Ultimately Pasadena was allowed to construct the dam and to divert water for its own use temporarily. The right of diversion was relinquished in 1941 when Metropolitan Water District water became available, and the district took over the dam from the city.

Los Angeles and Pasadena were opposed by other communities because it was feared that in each instance the city was seeking to divert natural resources that had been enjoyed by several claimants to the exclusive use of the city's inhabitants. Extraterritorial powers were a threat to the balance of interests.

Problems: May a City Serve Other Customers Than Its Own Inhabitants?

Exercise of extraterritorial powers by cities in developing a municipal utility enterprise has brought out a number of questions regarding the extent of the use of these powers. The questions take several approaches. One, is a city which has gone outside its borders to build and operate a water system to be confined to supplying its own inhabitants, or may it sell water to inhabitants along the route of the aqueduct? May it supply water to the inhabitants of neighboring cities? If so, are there any conditions or limitations upon this activity? If the city may not do any of these things, the result may cause hardship to property owners adjacent to the city's water lines. To say that a city which operates extraterritorially may not sell any water to other cities is to run the risk of encouraging municipal monopoly and to discourage the development of areas that were slower in developing or slower in exercising corporate powers in the race to secure firm water rights.

In general, the State of California has permitted its cities, or at least its chartered cities, to determine policy for themselves without interjecting an over-all state policy. This attitude has a certain consistency with the "municipal affairs" amendment to the State Constitution wherein the people of this state have approved a policy which says that in those matters that are "municipal affairs" municipal charters and ordinances shall take precedence and state law shall not interfere.[15] Obviously, the determination of what constitutes municipal affairs specifically is open to interpretation, inasmuch as the Constitution does not define the term further. The courts have studiously avoided a general rule or definition of the term, and have relied instead upon determining in individual cases whether a particular exercise of power constitutes a municipal affair or not. An early case that arose in the Los Angeles metropolitan area provided the statement of the rule in this matter in so far as "municipal affairs" relate to the exercise of extraterritorial powers. In this case the State Supreme Court said:

> The supplying of water to outside territory, being necessarily a matter incidental to the main purpose of supplying water to its inhabitants, is as much a municipal affair . . . as is the main purpose, which is conceded to be such, and therefore charter provisions relating thereto prevail over general laws, if inconsistent therewith.[16]

This particular case upheld the power of the City of Pasadena to sell water to persons living outside the Pasadena city limits. This case also brought out another point of law. The City of Pasadena had acquired the properties of the Pasadena Land and Water Company, and the company had been in the business of selling water to persons living in the neighboring city of South Pasadena as well as to inhabitants of Pasadena. The former were worried that their supply might now be withdrawn. The court ruled that the

City of Pasadena under these circumstances not only was permitted to sell water to South Pasadena residents, but inasmuch as it had taken over the property of a private utility, it had assumed the obligation to serve the customers of the private utility, and therefore it must continue to serve the South Pasadena residents.

The question of the sale extraterritorially of municipal water arose early in the history of the Los Angeles Water and Power Department. The struggle between two factions within the city had far-reaching effects upon the city and upon the development of metropolitan government. One faction was of the opinion that the city might well undertake to sell water from the Owens River development to other cities and to individual landholders near the city. It was argued that the supply was sufficient to meet the needs of the city and to meet some additional requests. It was urged that neighboring cities would be led into co-operative relations with Los Angeles and would cease to regard it as a greedy colossus. Another faction sought to use the prize of municipal water as an inducement to landowners adjacent to the city to join the city by annexation. Therefore, this second group wished the city to keep full control of the water obtained in the Owens River Valley.

The expansionist faction won a substantial part of the argument. Although a city charter amendment was adopted authorizing the City Council and the Water and Power Commission to sell surplus water or power to other cities or to consumers outside the city,[17] the policy followed was to deny sale of water to landowners adjacent to the city unless they agreed to annex their lands to the city area. Relentless enforcement of this policy produced a sudden expansion of the city's boundaries between 1914 and 1925 and brought within the incorporated area large tracts of agricultural land in the San Fernando Valley and in the western and southwestern sections of the region. Subdivision development did not take place until some time later. The Owens Valley water policy made Los Angeles the far-flung city that it is today.

At the same time that Los Angeles was refusing to sell water to neighboring cities and adjacent landowners, it determined to sell surplus water to farmers in the Owens River Valley. Bitter opposition to the city's acquisition of water-bearing lands had arisen, and it continued to worry the city representatives for many years. Covert violence broke out periodically, and on at least one occasion the great aqueduct was dynamited by persons opposed to the city's acquiring and diverting the water. In acquiring water the city had found it necessary to purchase the lands with which water rights were associated. In consequence, the Los Angeles Water and Power Department became a huge landowner in this area, which is 250 miles from Los Angeles' city limits.

By selling some tracts of land for grazing and for raising certain crops that did not place a heavy demand upon water, the city was able to allow a portion of the population of the valley to remain there in gainful pursuits and thereby to meet the charge that the city was laying waste to

this agricultural valley to satisfy the demands of an industrial city many miles away. The terms under which the city could sell water to the valley residents, however, were such as to prevent extensive development of the valley.

A battle of policy, somewhat similar to that engendered over the sale of water extraterritorially, arose with regard to the proposed sale of surplus hydroelectric power. One mode of attack upon the proposed undertaking to generate and sell power was to challenge that section of the charter which authorized the sale of power to other cities and to consumers outside the city. It was alleged by opponents that this authorized the city to engage in unlimited business. They professed to see a possibility that Los Angeles might undertake to supply hydroelectric power to the entire metropolitan area. The state Supreme Court dismissed this point with a finding that the charter provision was well within the powers given the city by state law. It went on to remark that there was no indication in the ordinance, which was to call a bond election, that the city intended to undertake any such unlimited business, and if such intention did appear later, there would be sufficient opportunity for the courts to review that matter when it actually arose.[18]

For many years the Power Bureau and the Southern California Edison Company scrimmaged for territory. The company opposed any efforts of the city to sell to consumers outside the city limits, although during this same period the city's boundaries were being pushed out by numerous annexations. During much of this period there was considerable confusion due to the fact that the company served certain large areas of the city and an occasional small group of consumers just within the boundaries. Ultimately the bureau and the company reached an agreement as to the modus vivendi: the city bureau would sell power to all users within the city and the company would operate in unincorporated territory and in other cities. A part of the modus vivendi too was an agreement between the bureau and the company to sell surplus electricity to each other in certain areas. The authority of the city to sell surplus electricity to the company for use and resale to customers outside the city was challenged as contrary to the State Constitution and the charter. It was argued that the action would constitute use of city property and resources for the benefit of persons living outside the city jurisdiction and was a sale to a private company for resale. The city contended that the charter authorized such sale on condition that the transaction be approved by a vote of two-thirds of the voters at a municipal election. The State Supreme Court declared that the provision of the charter relied upon by the Power Bureau was valid and that the election approving the contract had been properly held.[19]

The type of arrangement approved in this case has proved beneficial. The city and the company continue a policy of selling power to each other when it is advantageous to buyer and seller. They now maintain an agreement to sell to each other on a "stand-by" basis when either concern experiences an emergency need.

Another type of co-operative policy which has arisen as a product of the use of extraterritorial powers has permitted the City of Los Angeles to make contracts with the cities of Burbank, Glendale, and Pasadena to transmit hydroelectric power generated at the Colorado River over the Los Angeles line. Los Angeles also has contracted to sell Pasadena and Burbank power from a pool of resources when required, and Glendale has agreed to sell power to Los Angeles from the Glendale steam plant when required. Several advantages appear to have accrued from this intercity contract arrangement. The three smaller cities have been able to share in the development of power at Hoover Dam and assure themselves of resources to meet their growing needs. Los Angeles has been able to construct and maintain a power line that has capacity to serve needs larger than Los Angeles alone had. Payments made by the contracting cities for shares of power have assisted in paying the cost of the project. Not the least significant, too, is the fact that the contract arrangement has eliminated the possibility of four major power lines entering the metropolitan area. One suffices to perform the task.

One limitation is placed upon cities that wish to operate extraterritorially and to sell services to the inhabitants of another city. This is the constitutional requirement that if the other city operates a similar utility or service, the city that is operating extraterritorially must obtain the permission of the other city to enter its borders. This amendment recognizes, in the municipal ownership field, the utility principle of monopoly within a designated area. Disputes regarding the application of this policy which have found their way into the reported California cases have arisen over municipal bus lines. In a case arising in the San Francisco metropolitan area, City of Mill Valley v. Saxton,[20] a city official refused to certify a municipal bond election called for the purpose of financing the undertaking of a municipal bus line to transport commuters from the suburban city to the metropolitan center. One point raised was that the proposed bus line would carry residents of unincorporated territory in the neighborhood of Mill Valley as well as residents of the city and that this would constitute a gift of public funds for the benefit of private persons not under the jurisdiction of the city. Futhermore, it was contended that this proposal would violate the constitutional restriction upon municipally-owned utilities inasmuch as San Francisco operated busses and street cars, and the Mill Valley line would enter San Francisco in competition with those lines. The court denied the first contention, and it dismissed the latter because there was nothing to indicate whether Mill Valley proposed to deposit passengers at San Francisco city limits to ride San Francisco transportation or whether it proposed to transport them inside San Francisco municipal limits. If the latter was the ultimate intention, the court refused to assume that Mill Valley would attempt to do so without securing permission of the City of San Francisco.

The cities of Santa Monica, Culver City, Gardena, and Torrance have operated municipal bus lines in portions of the Los Angeles metro-

politan area for several years. While each of the systems extends into the area of surrounding cities, in no case do they compete with other municipally-owned transportation systems. However, excellent illustrations of intergovernmental relations arise. For many years the City of Santa Monica has operated a bus line along Pico Boulevard in Los Angeles on the justification that this was the most direct and convenient route for Santa Monica residents who wished to go to their employment or to stores in Los Angeles. The busses also picked up Los Angeles passengers, and over some parts of the route the Santa Monica municipal line competed with privately-owned busses.* The Los Angeles City Council gave permission for Santa Monica to use this street subject to the condition that the municipal bus lines terminate at the end of the privately-owned streetcar line on that street. When Santa Monica later applied for permission to extend its bus routes into the center of Los Angeles to a terminal at Pershing Square, the Los Angeles City Council declined to give permission. The Council rationalized that to grant permission for this extension into the central area would cause undue congestion in the business district, and that Santa Monica riders were adequately served by the bus-trolley car combination. The matter has never been reopened publicly.

In 1950 the City of Santa Monica bought out the Bay Cities Transit Company that had operated bus lines in Santa Monica and in West Los Angeles. As a result of this transaction the City of Santa Monica has become a major server of residents of West Los Angeles, both for local travel and for travel connecting with other bus lines and streetcar lines leading to the Los Angeles major business district.

Cities Set Their Own Utility Rates

California gives its municipalities home rule in the setting of rates to be charged by municipally-owned and operated utilities, and does not subject them to regulation by the State Utilities Commission, either when they are operating inside the city boundaries or when they are operating extraterritorially. This policy is based upon interpretation of two constitutional amendments adopted in 1911. Section 19 of Article XI authorized municipalities to own and operate utility services. Section 23 of Article XII sought to specify under what conditions cities might retain jurisdiction to regulate public utilities and under what conditions they might transfer municipal jurisdiction to the state commission.[21] Taking the two constitutional sections in relationship to each other, the courts have construed state policy to mean that municipalities are to be free of Utility Commission regulation. One of the first cases to spell out this interpretation was

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*The owner of one of the bus systems has since sold his entire business to the City of Santa Monica. As a result of this purchase the amount of Los Angeles city territory served by Santa Monica municipal busses has been greatly extended.

City of Pasadena v. Railroad Commission, in which the court said:

> Article XII, section 23 of the Constitution, which declares that every 'private corporation which owns and operates a plant for the production, generation, transmission, delivery or furnishing of heat, light, water or power' is a public utility subject to control and regulation by the Railroad Commission as may be provided by the Legislature, does not include municipal corporations, and, therefore, the rates charged by a municipality in supplying its inhabitants with electricity from electric works constructed and operated by it are not under the control of the Railroad Commission.[22]

Likewise, in Jochimson v. City of Los Angeles the appellate court said:

> Article XII, section 23 of the State Constitution was not intended to and does not vest in the Railroad Commission authority to regulate the rates to be charged by a municipal corporation in the sale of water to its inhabitants.[23]

A more recent case, Durant v. City of Beverly Hills, touches upon this same matter and deals also with the question of rates charged by a municipality for services rendered persons living outside the city's borders. The court expressed the view that:

> The power of a city to fix rates to be charged those customers residing within its boundaries is incidental to the power to establish and operate public utility systems conferred by Section 19 of Article XI . . . and is not controlled by Section 23 of Article XII, and where the operation of a water system in outside territory is but incidental to the main purpose of service to the inhabitants of the city, the municipal authorities have the same right to fix charges to be paid by those served in the outside territory as it has to fix those charged its own inhabitants.[24]

The plaintiff in this case lived in West Hollywood unincorporated territory. The city had purchased a private water company that had served both city and unincorporated territory. The City Council had set different rates for those inside from those outside the city. The court relied upon City of South Pasadena v. Pasadena Land and Water Company to establish the point that Beverly Hills was obligated to serve the persons in unincorporated territory who had been customers of the company. In the matter of the rates, it held that the city was obligated only to charge reasonable rates to those outside the city, and was not necessarily obligated to charge the same rate as that charged city residents.

City-Owned Lands Outside the City

The City as an Absentee Landlord

In previous sections of this chapter we have seen how legal authoriza-

tion has been extended to the cities of California to acquire and operate land outside their boundaries when necessary in the conduct of municipal functions that would benefit the city's inhabitants. Pasadena was one of the earlier cities in the Los Angeles metropolitan area to acquire land outside its limits. In the 1890's it acquired acreage several miles south of its limits for a sewer farm. Later this project became the Tri-Cities Sewer Farm, with South Pasadena and Alhambra joining in the use of the project. This sewer project continued until 1946, when the cities using this facility joined county sanitation districts and abandoned the farm.[25] The property continued under Pasadena city management, however, beyond that time. This farm land was originally in an unincorporated area. However, when neighboring areas attempted to oust this municipal plant, Alhambra annexed the land. An attempt to establish a second farm in that area was blocked by the incorporation of the City of Monterey Park.[26]

Several cities have gone outside their municipal borders to obtain land for rubbish dumps. A survey by the county engineer in April 1949, indicated there were seventy-eight rubbish dumps in unincorporated territory and that ten of those were owned by cities. Shortly after that the county government began to regulate the operation of refuse dumps and adopted a policy that ruled out burning of rubbish at these sites.[27]

One city, Beverly Hills, owned and operated a rubbish dump within the city limits of another, Santa Monica. When popular attention was focused upon the problems of smog abatement and rubbish disposal, Santa Monica called upon its neighbor to cease using this site.

An airport is another municipal enterprise that may have to be located outside a city's limits to obtain suitable open land for development. California cities are not restricted in this respect.[28] The Long Beach municipal airport was constructed originally partly within the city and partly in unincorporated territory.* However, none of the municipal airports in this metropolitan area are located in a manner similar to the San Francisco one, which is located several miles outside the city in another county.

General state law permits cities to own and operate parks and playgrounds outside their limits if such a location is convenient to serve the city's inhabitants. The Los Angeles city charter also permits that city to operate parks within and without the city limits. For several years that city has operated a summer camp and playground in the San Bernardino mountains on a site leased from the United States Forest Service.[29] This service has been conducted by the City Park and Recreation Department.

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*Ebrite v. Crawford, 215 Cal. 724, 12 Pac. 2d 937 (June 1932) is an interesting case arising from this situation. In a damage suit resulting from collision between two planes on the ground at this airport, an essential point concerned whether a Long Beach municipal ordinance governing landing of aircraft and rights-of-way controlled outside the municipal limits. The court ruled that the ordinance did control in these circumstances.

A second mountain recreation area operated by Los Angeles is that at Lake Crowley in Inyo County, one of the lakes in the city water system.

The City as an Absentee Landlord: As Taxpayer

Both Los Angeles and San Francisco have become very considerable landlords in areas outside their municipal boundaries in connection with the development of their water supply systems. Indeed, Los Angeles has become the major land owner in Inyo and Mono Counties. Such situations as these present interesting intergovernmental relations problems, especially in the field of taxation. Normally publicly-owned property has been exempt from taxation in California. If such exemptions were to be passed on to lands owned outside a municipality's own borders, grave injustice might be placed upon the city, county, or local district in which the municipality obtained its land. With a view to adjusting the interests involved in this problem the people of California adopted a constitutional amendment in 1914 which read in part:

> . . . Property such as may belong to any . . . municipal corporation within this State shall be exempt from taxation, except such lands and the improvements thereon located outside of the county, city and county or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said . . . municipal corporation; provided, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to taxation. All lands or improvements thereon . . . not exempt from taxation, shall be assessed by the assessor of the county, city and county, or municipal corporation in which said lands or improvements are located, and said assessment shall be subject to review, equalization and adjustment by the State Board of Equalization.[30]

This policy at least guaranteed the continuance of the status of taxation that existed prior to the city obtaining the land.

In carrying out its water developments in the Owens Valley, the City of Los Angeles acquired 88 percent of all town properties in the area and 98.84 percent of the privately-owned farm lands. It has disposed of some of the town properties, but by 1944 it had retained 50 percent of the total. In consequence of the legal requirements discussed above, the city pays considerable sums in taxes to four counties for land and improvements owned and operated by the Water Bureau. A breakdown of the figures by counties shows the following:

1946-47	Mono County	$ 22,172.69
	Inyo County	253,565.64
	Kern County	95.01
	Los Angeles County	3,811.24
	Total	$279,644.58

1947-48	Mono County	$ 23,021.05
	Inyo County	292,159.43
	Kern County	98.42
	Los Angeles County	3,016.62
	Total	$318,295.52
1948-49	Mono County	31,844.01
	Inyo County	300,594.08
	Kern County	129.03
	Los Angeles County	3,257.05
	Total	$335,824.17
1949-50	Mono County	26,881.62
	Inyo County	360,571.71
	Kern County	128.92
	Los Angeles County	3,361.93
	Total	$390,944.18

From time to time question arises as to how extensive the liability of the city shall be for taxes upon lands owned in other jurisdictions. As a corporate landlord it may be a principal taxpayer for support of services that are of little or no advantage to it. Inasmuch as the city cannot vote in elections or referenda of the jurisdictions in which its property is located, it must resort to court action or seek legal interpretation on occasion to protect its interest. The State Attorney-General has given a ruling on two types of situations that have involved Los Angeles-owned lands in Inyo County. In one this officer advised that:

> Property in Inyo County owned by the City of Los Angeles is not subject to special assessments by Districts unless the statutes creating such districts authorized the assessment of publicly owned property.[31]

In another situation he advised as follows:

> Property of the City of Los Angeles situated in Inyo County and taxable when acquired by said city is subject to taxes assessed by (a) lighting districts, and (b) cemetery districts. Such property is not subject to 'assessments' levied by a county fire protection district.[32]

Extraterritorial Law Enforcement

Can Municipal Ordinances Be Enforced Outside the City?

Owning land outside a city's limits and conducting utility lines through the streets of another municipality are quite different matters from enforcing city ordinances or regulatory standards upon persons residing outside the city limits. Normally the police power of a municipality does not extend beyond its borders.

A specific case on this point arose in Northern California in 1937 and was decided adversely to the city. The City of Oakland adopted a municipal ordinance establishing standards for meat inspection and providing for an inspection service. The ordinance specifically authorized the municipal inspectors to go to slaughterhouses outside the city limits if meat from those plants was sold in any quantity within the city. Slaughterhouses inspected included some in three adjacent cities that had no municipal inspection. In 1931, the State Legislature enacted a law requiring all meat to be inspected by state inspectors and federal representatives before it could be sold. The same statute authorized the State Director of Agriculture to approve municipal inspection services if those complied with standards set forth in the state law. The State Director approved the Oakland inspection service, then later withdrew approval on the ground that he had no authority to authorize a municipality to conduct enforcement outside the municipal limits. Oakland sued for declaratory judgment of its rights. A lower court ruled for the city but a unanimous State Supreme Court reversed this judgment. The court said:

> A municipal corporation has generally no extraterritorial powers of regulation. It may not exercise its governmental functions beyond its corporate boundaries.

The court did, however, recognize that there were a number of well-established exceptions to this rule. In this instance, nevertheless, the state had required state inspection. There was no showing of fact that the state inspection was inadequate and the municipal inspection extraterritorially was necessary to protect the health of the city's inhabitants. The court saw no reason to prevent the city from inspecting meat sold inside the city limits; it objected only to the extraterritorial regulation.[33] The problem presented in this case has not caused litigation in the Los Angeles area; the authority of the state is not recognized.

One exception to the general rule that has been discussed above lies in the instance where a city is acting as a landowner to protect its property and the municipal function being performed on that property. Certainly a city has authority to enforce regulations within its property for protection of water supply in a lake or reservoir located on city-owned land outside the city limits. Likewise a municipal ordinance governing the landing of aircraft and determining rights-of-way will apply on a municipal airport, even though that airport is outside the city's boundaries.[34] It would be a very unsound situation indeed if the city, having been authorized to own and develop an airport outside its limits or partly within and partly without its limits, would be denied the authority to regulate safety conditions on all parts of its airport.

Another exception to the general rule was recognized by statute for a short time. In 1927 the California Legislature authorized municipal planning commissions to exercise control over land platting and subdivisions within three miles of the city's limits.[35] This authority was rescinded in

later legislation. However, this type of extraterritorial power has not been exercised in the Los Angeles metropolitan area because the County Regional Planning Commission has exercised control of platting and land subdivision in the unincorporated areas and has attempted to co-ordinate the plans of the various incorporated cities within the county.

The City as a Long-Range Inspector

The courts have recognized another type of exception also. A city may enforce compliance with its standards regarding perishable foods and similar commodities, where protection of health is involved, by licensing the vendors operating within the city. The licensing may be supplemented by inspection of outlying plants if they are within a reasonable distance of the city.[36] In re Blois is often cited to justify licensing and inspection of such businesses, including extraterritorial exercise of the inspection.[37] In this case a city ordinance requiring inspection of laundries that solicited business within the city was approved in so far as the power of inspection was concerned. The complaining laundry was located in another city and it objected to having an inspection made of its premises once a month by representatives of the licensing city as one of the conditions of doing business in the latter city's area.*

The principal instance in which a city in the Los Angeles metropolitan area exercises a regulatory power extraterritorially involves milk inspection by the City of Los Angeles. This city began inspecting milk in 1895, and within a few years after that extended its inspection activities to dairies outside the city boundaries.[38] This city's inspection activity preceded the enactment of a state milk standards law and preceded the establishment of a county inspection service. Therefore, the city extended its inspections throughout the "milk-shed" serving the city. This area included most of Los Angeles County, and Orange, Riverside, San Bernardino, Ventura, Kern, Santa Barbara, Tulare, and Fresno Counties. In 1920, Los Angeles County developed an inspectional service, and later some other cities began to inspect dairies located in county areas when the dairies served city customers. Overlap of jurisdiction and duplication of inspections led to the revision of the state law so as to permit the State Director of Agriculture to determine which city or county should be given inspecting authority and to assign exclusive authority over a particular dairy or milk-producing area. In 1947, the City of Los Angeles was given authority to inspect dairies in a portion of Los Angeles County, in northern Santa Barbara County, and in the lower San Joaquin Valley. Fees are charged

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*Dicta of the court approved the city's argument in favor of the inspection as a condition of doing business. However, the particular ordinance was invalidated because the fees charged for the inspection were deemed by the court to be improperly calculated. In the Oakland v. Brock case, the court found a different situation to exist than in this case.

for this inspection service and the cost of the enforcement is underwritten by the dairy industry in this way. Although the inspectors come under the jurisdiction of the City of Los Angeles, city taxes are not used to pay for the function. Pasadena and Long Beach were named milk inspecting authorities over dairies and processing plants within their limits.[39] Los Angeles is now the one city in this section of the state operating extraterritorially.

The Cities Reach Out: A Summary

By judicial decision, constitutional amendment, and statute, California has allowed its cities an unusually large amount of freedom to operate beyond their municipal limits in the interest of serving their citizens. The legal precedents for the authorization of extraterritorial exercise of municipal powers were developed chiefly before California became a highly urbanized state. Nevertheless, these precedents were important to the development of municipal government and administration. Use of powers extraterritorially to secure a water supply and to provide for disposal of urban wastes had a strong influence upon the development of urban communities in the semi-arid areas of Southern California.

At the same time, development of municipal inspection services that ranged far afield to inspect city milk supplies at their source indicated that municipal governments of the area were alert to their responsibilities. In such instances extraterritorial exercise of municipal power appears to have been invoked because of the absence of state legislation and state administration.

Although the exercise of extraterritorial power has on occasion smacked of municipal "empire-building" and has undoubtedly brought about colorful intergovernmental legal battles, exercise of the powers has usually been beneficial to the public interest. The policy that has dominated has been strongly influenced by the politics of municipal home rule. The state has entered the controversies chiefly to offer procedures for adjusting the disputes or to reduce duplication in the sphere of influence claimed by the cities. The exercise of extraterritorial powers indicates a robust and healthy state of affairs in municipal government and administration in the metropolitan area.

VII. GENERALIZATIONS AND RECOMMENDATIONS

For a period of nearly forty-five years the local governments in the Los Angeles metropolitan area have engaged in a number and variety of intergovernmental relations that apparently exceeded that of other metropolitan areas in the nation. The co-operation, formal as well as informal, that has been produced has been an important factor in the development of this metropolitan community. All has not been harmonious, however. There have been several dissonant chords throughout the theme. A dominant one has been the rivalry between the county government and the City of Los Angeles. A variation has been the political feuding from time to time between the cities' bloc and the county government over fringe area government, distribution of gasoline taxes, and air pollution control. On other occasions the suburban cities have joined forces, sometimes in company with the county, against the colossus of Los Angeles City. This rivalry has produced mixed results. On occasion it has caused the rival governments to improve their standards of performance that they might meet the challenge presented. Unfortunately, on other occasions it has caused petty maneuvering and short-sighted quibbling for the sake of winning a temporary advantage.

Certain conclusions seem to stand out in the metropolitan picture. One is that localism has been rampant. The skirmish for metropolitan leadership has been chiefly a struggle within the local arena. Except for a few occasions, state leaders have not entered. Whenever there appeared to be a semblance of agreement among local leaders in requesting state legislation to permit some activity to be undertaken locally, the Legislature has been willing to grant the request. Local leaders have been inclined to regard Sacramento and Washington as places to seek financial assistance for projects that were too expensive for complete local financing; yet they have been very successful usually in fending off efforts to insert federal or state controls that appeared likely to alter materially the local ways of accomplishing the function that was being financed. Local self-government has been much more than a textbook term here.

At the same time the struggle for metropolitan leadership has resulted in a stalemate between several rival candidates. The county government is in a strong position. Within functional areas that have vital importance for the region, the Metropolitan Water District and the county sanitation districts also have great weight. The City of Los Angeles, as the center of the metropolis, is still a leading contender for the central role. Other cities, like Long Beach, are growing in strength and importance, however. One conclusion that cannot be escaped is that the system of intergovernmental contracts and other co-operative relationships at the local level has tended to block further efforts to produce a super metropolitan government similar to that of London or New York or the recently organized Toronto Metropolitan Council. The system that has resulted is a complex one, but it eases

the more difficult problems of local government in a metropolitan area. In co-operation there is survival!

The question may now be asked: Given the existing development of intergovernmental relations, what improvements or extensions can be made to the system in this area? Replies to this query should be examined with respect to the various types of relationships.

Informal Co-operation

The conclusion was expressed in a previous chapter that this area enjoyed an unusually large amount of co-operation between professional administrators who occupied key positions. This factor is important. At the same time, however, it seems that this type of relationship has been developed about as far as may logically be expected.

The following steps are recommended in regard to informal co-operation:

1. Existing methods of informal administrative co-operation should be continued and further refined, although it is difficult to foresee significant new areas being developed in this field.

2. Administrative officers in the county government and the City of Los Angeles should continue to exercise leadership in the informal relationships with the administrators of other local governments. They have at their control larger and better-equipped departments. They have available the knowledge and skill of specialists in various fields of work. To share some of these resources, as the police and fire and planning departments have done, for example, is sound administration. To the extent that these larger governments can lead their associates to more effective performance of their tasks, the better the interest of the area as a whole will be served. This is the sort of relationship that cannot be measured exactly and need not be spelled out in formal terms of a contract or memorandum of understanding.

3. Informal co-operation should be used to obtain greater uniformity in employment practices among the local governments. This type of intergovernmental relationship deserves serious consideration for further development, but on an informal basis at first. If the effort were to succeed, more formal arrangements would undoubtedly be required to proceed to the next steps. Many of the cities outside Los Angeles employ workers for jobs that are similar to those in other cities. Although the duties are often similar, the qualifications of the workers and the rates of compensation frequently vary. A basic subject for intergovernmental co-operation

between the cities, then, would be to attempt to work out common definitions of duties and qualifications of comparable positions in city services. To the extent that the metropolitan area represents a common economic and employing community, uniform rates of pay might then be worked out. This should tend to reduce rivalry and contention over wages and working conditions between the various local units.

Other fields of municipal employment policy might well be studied jointly with the objective of arriving at as much uniformity as seems practicable. If these matters could be worked out by informal co-operation between city councils, aided by their respective administrative officers, another major improvement might become a practical possibility.

It would be an improvement to have a joint local governmental retirement system wherein it would be possible for an employee of one local government to transfer to another local unit in the area, or to seek promotion in another city, without losing pension benefits that had been built up. Until these features of a local governmental career system are made possible, many smaller governments will be saddled with a low-grade, provincial-minded administrative performance. The leadership in such improvements, however, will have to come from the local units, with some assistance being provided by the state.

Thus far there has been a considerable amount of informal co-operation in the field of personnel practice, but more is required. Only the outlines of what could be done are now in existence. Until the conditions affecting the employment and retirement of municipal employees are worked out uniformly, there can be little advancement of governmental reform through functional consolidation. Small units of government are not likely to contract with a larger unit to transfer an established function, such as fire protection, unless the existing employees can be absorbed or transferred without loss of employment privileges. Before any plan for transfer or absorption of employees can be practical, the employment practices must be made more nearly uniform.

Functional Consolidation

Functional consolidation has been used extensively by the local governments in the Los Angeles metropolitan area to overcome some of the disadvantages of separateness of the municipalities. Functional consolidations were produced in the greatest number during the period in which the City of Los Angeles was most active in promoting territorial consolidation by means of annexation and consolidation. Although functional consolidation has been developed in certain activities, viz., personnel and civil service,

since that time, there is no noticeable growth in this type of relationship taking place at present. By far the larger number of functional consolidations that has been effected by intergovernmental contracts has been that between the county and the cities or the county and special districts. There is a much smaller number of functional consolidation contracts between cities.

Functional consolidation can be accomplished in a variety of ways:

1. Transfer a function from one or more units to another permanently, with or without compensation to the unit that is to receive the function. Administration of weights and measures was transferred from the cities to the county government. It is now an exclusive county function.

2. Transfer a function from one or more units to another, with the proviso that the transfer may be withdrawn later after due notice. California law permits the cities to transfer their basic health services to the county. If the city wishes to withdraw from the arrangement and wishes to establish a city health department it may do so.

3. Permit one level of government, i. e., the county, to perform a function in the territory of another unit, i. e., a city, until the latter decides to undertake the work independently. Counties are authorized to maintain a county library within a city if the city council will accept the jurisdiction of the county. The latter collects a special library tax to finance the service. The city may withdraw from the consolidation by giving notice to the county and by establishing a municipal library.

4. Permit two or more units of government to negotiate a contract to determine the conditions under which one will perform specified services for the other unit or units. These contracts may be between cities, as in the instance of the contracts between Los Angeles and other cities for use of the sewer system. Special districts may contract with other districts or with cities. The county sanitation districts contract with one of their own number to administer the trunk lines and treatment plant for the group. Numerous examples of contracts between the county and cities have been discussed. California law permits counties to work out functional consolidations with other counties in several activities. None are of significance in the Los Angeles metropolitan area, however. Finally, the state and local governments may enter into contracts which produce a type of functional consolidation. The best illustration of this is given in the contracts between the State Personnel Board and cities and districts for personnel services.

5. Encourage joint operation of a service or a public work. This is a method that has not been favored in the Los Angeles area to any degree. Although several governments share space in government buildings, one unit usually leases from another rather than enter into a joint management arrangement. City-county operation of the Coliseum under an agreement with the Sixth Agricultural District is perhaps the outstanding example of consolidation by joint operation.

Problems Involved in Consolidation.

There are several problems involved in undertaking most types of functional consolidation. One group of these problems involves joint management of a plant or a public work. Joint management would appear, at first viewing, to have a number of advantages. Sharing in the costs of maintenance and operation can be negotiated when the arrangement is entered into. Many of the difficulties arise, however, when the communities that are being served begin to change. How can the participating governments work out agreement upon extensions of the plant? Should extensions be financed jointly or by the one that may benefit most? Should they jointly lay aside funds to prepare for replacement and reconstruction when the plant becomes obsolete? Who shall carry the responsibility of managing the plant in a joint enterprise? If the partnership is dissolved for any reason, how shall the assets and liabilities be divided? The record of the county sanitation districts illustrates that joint operation may be successful under some conditions. The Los Angeles city sewer contract system has produced many benefits, but it has also been plagued with several troubles.

Intergovernmental contracts raise some questions that should be explored by any government that is considering entering into a contract. The citizen who is interested in the operation of his local governments should be equally concerned with the answers in specific instances. The problems will be expressed here in the form of hypothetical questions.

A. Problems for the unit that will perform the work:

1. Will the contract price cover the full costs of personnel services, equipment, and capital outlay that will be involved in performing the service for the other unit? Most contracts attempt to determine a formula that will cover such costs.

2. To what extent will additional staff need to be employed to provide the service? Are staff members to be assigned exclusively to contract work, or is the work to be distributed as a part of the regular work load? Usually the added work will necessitate addition of employees, although contract work does not require a separate organization.

3. Is this unit actually subsidizing the other unit by performing the work at less than cost in order to purchase influence in the affairs of the other unit?

4. Is a unit that enjoys a good standard of performance aiding weaker units to achieve a better standard of government for themselves by devising functional consolidation? In many fields of administration it can be argued that larger units, such as the County or the City of Los Angeles, are protecting their own citizens by contracting to perform a service for a neighboring government and thus ensure that a good standard is maintained in the area.

5. Is the department that is performing the contract work able to keep up its standards when it undertakes to serve other clients? Will it be forced to lower standards because of an increased work load?

6. Can the government that performs contract work for other governments be sufficiently sure of its work load that it will not be plagued by withdrawals and additions of contractees? The record of Los Angeles County indicates that the work load stays fairly level in all the departments that are performing contract work for cities. There have been few withdrawals. New contracts can be postponed if it is not convenient to accept them.

7. Is functional consolidation being promoted by an ambitious department head who wishes to build up his employee force and his clientele and thereby enhance his prestige in the local firmament? There is good reason to believe that such has been the motivating influence in some programs. The difficulties appear to have been temporary, however. The consolidations that were affected were continued because they were advantageous to all parties in the agreement.

B. Problems for the unit that is seeking a contract:

1. Will it receive a standard of service that is equal to or better than it would receive if it performed the function itself?

2. Will it receive the service at less cost than if it performed the work?

3. Is any flexibility permitted in the contract administration to meet unusual local conditions?

4. Are there any realistic alternatives to dropping the function entirely if the contract proves to be unsatisfactory?

5. Is the function that is being performed by contract one that is made mandatory by law or is it one undertaken initially at local request?

Merits of Functional Consolidation

This type of intergovernmental relation possesses a considerable number of desirable features. These may be summarized as follows:

1. The types of functional consolidation that have been developed in the Los Angeles metropolitan area have their greatest merit in the fact that they have been entered into voluntarily by the participating governments. This is closely in keeping with the principles of local self-government and home rule. Political stresses are considerably reduced when functional consolidation is accomplished in this manner. The consolidation is likely to remain so long as the results are satisfactory (on one motive or another) to both parties.

2. A relatively obvious advantage is that consolidation permits governments that are operating in the same or adjacent territory to join forces and thereby reduce duplication in the work and expense. This is most clearly demonstrated in the instance of tax assessment and tax collection.

3. Functional consolidation permits smaller units of government to enjoy many functions of government without adding to its personnel and without building up a considerable overhead in its administrative offices. The City of South Gate is an example. This city has contracted with the county for tax assessment and tax collection, library service, and health administration since it was incorporated. Later it contracted also with the county for complete personnel service, the city ordinance making the County Civil Service Commission the personnel board for the city. It obtains its water supply from the Metropolitan Water District and receives sanitary services from County Sanitation District No. 2. For this city to obtain the same services at the present standard by its own administration it would need to add greatly to its municipal administrative establishment.

4. Functional consolidation permits administrative planning for a larger area with all the resources that a larger administrative establishment can offer. Sanitation work, public health services, and library services all demonstrate this point.

5. The flexibility offered by functional consolidation permits smaller local units to perform those functions that are most desired under local control and to accept the advantages of large-scale administration for other functions without being swallowed up through territorial consolidation. Functional consolidation was the counteraction to territorial consolida-

tion. It is an interesting, and debatable, point whether functional consolidation has encouraged the incorporation of several small municipalities.

In 1935 the Committee on Governmental Simplification urged that the small cities that had low assessed valuation of tax resources should transfer most of their administrative functions to some better-equipped agency, such as the county. The principle upon which this recommendation was made is still valid, although relatively little progress has been made in the practice since 1935.

Principles of Functional Consolidation.

The following are suggested as principles that should govern the policy in effecting functional consolidation:

1. The consolidation should be made upon a voluntary basis, with agreements being entered into freely by all units of government involved.
2. The responsibilities of each of the parties to the agreement should be clearly spelled out. As new conditions arise, the pertinent matters could be negotiated and added to the agreement.
3. Each unit should pay a fair share of the costs of the services received. The basis for calculating the costs will probably vary according to the function involved. The basis for determining the payments should be clearly specified in the agreement, and should be applied in all similar agreements.
4. Administrative standards should not be lowered or treated as bargaining counters to secure additional consolidations.
5. Administrative standards employed in performing work for other governments should be the same standards that are applied uniformly within the government performing the service.
6. In so far as possible, the convenience of citizens of the government being served should be observed. (For example: personnel recruiting and examining should be done within the city that has contracted for personnel work rather than requiring local residents to travel to the administrative center of the government that is performing the work.)
7. When functional consolidation takes place, administrative details should be adjusted so that employee rights and interests are protected.
8. In those instances where the county government is required

by state law to perform a function and where the function is financed by county taxes, other local governments should be encouraged to work out functional consolidation with the county. This would include the functions of tax assessment, tax collection, and administration of a basic program of public health.

9. In those instances where the county is not directed to finance a function by county-wide taxation, local governments may well work out functional consolidation either by:

    a. consolidating with a large municipality that has a good standard of performance,

    b. consolidating with the county if the latter's standards are equal to or superior to those of other local units in regard to the specific function,

    c. consolidating with adjacent units located in a common sub-area by means of a joint enterprise arrangement.

Leadership for Further Co-operation

Individual officials and civic leaders have occasionally taken the lead in securing informal co-operation among those representing the units of local government. Because this has been by individual effort, the pattern of informal co-operation has continued as long as the individuals were in a position to exercise influence.

Many of the formal means of intergovernmental co-operation have grown spasmodically. For example, in the majority of instances in which cities have entered into contracts with the county for service, the relationship was initiated by an official of the city seeking out the county officer or officers who might be able to help. The matter was then explored and eventually some arrangements were negotiated. The Board of Supervisors has had no expressed policy on the matter. Unofficially it has been known that the board was sympathetic to intergovernmental contracts. Responsibility has rested with each department head to encourage or discourage requests from other local governments for functional consolidation. The Board of Supervisors has viewed each proposed contract or formal arrangement in the light of the circumstances existing at the time of each request.

Before much more functional consolidation can be worked out it would appear that at least two basic steps would have to be taken:

1. Work out adjustments to permit absorption or transfer of the personnel that are now employed in carrying on the local administrative functions.

2. Organize an exploratory conference or conferences between the county government and the municipalities (at least of the

smaller municipalities) to determine what consolidations may be possible and to determine what additional effort may be required to bring those about.

The first of the basic steps has been discussed previously. Responsibility for initiating exploratory conferences might be undertaken by any one of three types of leaders.

Primarily the responsibility for such initiative would seem to rest with the Board of Supervisors inasmuch as the county government is already contracting with many local units. Also the county government encompasses the largest territorial unit and its boundaries are practically coterminous with the metropolitan region. The county board has not attempted to call any such conference of local government officials to discuss the broad subject of intergovernmental co-operation and functional consolidation since the Governmental Simplification Committee in 1935. There have been some instances of conferences called to discuss specific problems that had reached crisis proportions. Of particularly broad scope was the Regional Planning Conference in 1921. Such a conference as that suggested here would have to be approached with the attitude that the problems of both the county and cities are of equal concern, and that both levels of government should obtain satisfaction. An exploratory conference to determine what consolidations could be worked out that would have mutual advantages might well be productive. Without some such leadership effort being made, progress is very slow.

Responsibility for initiating such conferences might be taken by extralegal bodies or civic associations. Semiofficial groups of prominent citizens have been brought together on occasion to obtain an agreement on policy and obtain action on such subjects as water supply, air pollution control, traffic, and construction of a county courts building. Such bodies have an advantage in situations that call for reconciling competing or clashing interests because they enjoy greater flexibility in negotiation than do bodies composed of elected officials. Leadership taken by unofficial civic bodies in bringing public officials together for an exploration of a governmental problem also has an advantage in that it tends to relieve the suspicion that one official group is seeking to gain undue advantage over another group of elected officers.

Leadership by the state government is a third possibility. Legally the state is the senior government and has a responsibility to offer its "good offices" to obtain a solution of problems that may be local in nature to a large degree. In some respects the state would be the best of the three possibilities. It has legal responsibilities; yet it is not actually a party to local arguments.or competitions. There are two related areas of activity in metropolitan affairs in which the state might provide real leadership:

1. Leadership by an informal process. The state, probably through the governor, might well initiate a series of exploratory talks or conferences to determine if further functional

consolidation can be achieved in the metropolitan area. If it appears that such extensions would be mutually desired by the local governments but would require additional legislation or additional organization, efforts could be directed then to securing those improvements.

2. Leadership by a formal process. In Chapter I of this volume a situation was described wherein cities frequently compete with each other for annexation of territory and where annexation proposals are used as a device to thwart incorporation of a new city or a service district. Both annexation and incorporation have been used on occasion to thwart efforts being made by the county government to deal with metropolitan government problems. The conclusion was expressed earlier that these problems, which arise from these types of local competition and maneuvering, could be dealt with in the public interest best by a state administrative board that would have authority to conduct a thorough investigation in each instance and to make a finding that would be the product of study and, possibily, of mediation.

Problems similar to those arising in the Los Angeles metropolitan area are to be found in the other rapidly-expanding urban areas of the state. Therefore, a state administrative board of the type suggested would not concern itself exclusively with the Los Angeles area. Its structure might be similar to a provincial municipal board in a Canadian province. The Ontario Municipal Board is an outstanding example. It is the Board that provided a large degree of the leadership that produced reorganization of government in metropolitan Toronto in 1953. It is an administrative board appointed by the government of the province and operating under powers set forth by provincial statute. Proposals for annexation of territory and for incorporation must be put before it. All parties who might be affected by the proposal have a right to appear at public hearings before the Board and to present evidence, orally and in writing. The Board may call for such additional data as it may deem necessary. No annexation or incorporation becomes final in that province until the Board approves. The Board was able to offer unusually farsighted leadership in the case of Toronto. Some of the municipalities in the Toronto area applied for Board approval of some limited functional consolidation. At least two other municipalities proposed to annex adjacent municipalities. Out of the welter of claims, arguments, and data the Board decided that a completely different plan offered a real solution to the Toronto metropolitan problem. The Board's plan required legislation to accomplish its purpose. It recommended specific legislation, and the provincial legislature approved the proposal.

A state-appointed board having sufficient breadth of authority to obtain the facts and to bring the contending local forces together should do much to improve the situation in the metropolitan area. The state govern-

ment has traditionally marked out the course of public policy. There are sufficient instances in which the State of California has provided the machinery or the leadership to mediate between the rival claims of its local governments to indicate that this proposal has some foundation in local institutions.

A fresh effort to accomplish a larger amount of intergovernmental co-operation is needed. There is a rich experience of local endeavors upon which to build. If local leadership cannot find the successful formula, we may be required to turn to the broader area of interest, the state.

NOTES

I. STATE-LOCAL RELATIONS

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16. Lease is based upon City Ordinance No. 86534, dated August 5, 1940.

17. Board of Harbor Commissioners and U. S. Navy, Lease No. NOY (R) 35239.

18. Board of Harbor Commissioners Order No. 1830.

19. Board of Harbor Commissioners Order No. 2141.

20. These facilities included:

Wharf and shed, Berth 57	$22,500
Wharf and shed, Berth 58	$32,400
Wharf and backland, Berth 70-71 . . .	$19,413
Warehouse and fire station	$ 6,000

These leases expire in 1955.

21. Board of Harbor Commissioners, Government Lease No. WO4-193-Eng. 4356.

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25. 64 U. S. Stats. 166.

26. 60 U. S. Stats. 170.

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41. Los Angeles County, County Budget, 1952-53, p. 35.
42. City of Long Beach, Report of the City Accountant, 1952.
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2. Cal. Stats. (1895), chap. 182, pp. 219-21.
3. Cal. Stats. (1927), chap. 124, pp. 231-32.
4. Cal. Stats. (1913), chap. 273, pp. 499-503.
5. Cal. Stats. (1911), chap. 68, p. 80.
6. Ronald Ketcham, Integration of Public Library Services in the Los Angeles Area (Studies in Local Government No. 6.) (Los Angeles: Bureau of Governmental Research, University of California, 1942), p. 10.
7. Ketcham, op. cit., p. 45.
8. Cal. Stats. (1935), chap. 48, 38-382.
9. Rules of the Los Angeles County Civil Service Commission, Rule XXV.
10. The County Chief Administrative Officer's office conducts the survey on behalf of the county. The County Civil Service Commission approves the classes selected for comparison.
11. Helen L. Jones, Personnel Management (Vol. X, Metropolitan Los Angeles: A Study in Integration) (Los Angeles: The Haynes Foundation, 1952), p. 34.
12. California Legislature, Assembly Interim Committee on Municipal and County Government, Financing Local Government in Los Angeles County (Preliminary Research Report, November 1952), 31-32.
13. Ibid., p. 32.
14. Los Angeles County, Budget, 1952-53, p. 287.
15. California Legislature, Assembly Interim Committee on Municipal and County Government, op. cit., pp. 27, 222.
16. Ibid., p. 124.
17. Ibid., p. 46.
18. Ibid., p. 43.
19. See Robert F. Wilcox, Law Enforcement (Vol. IV, Metropolitan Los Angeles: A Study in Integration) (Los Angeles: The Haynes Foundation, 1952), 127-38.
20. California Legislature, Assembly Interim Committee on Municipal and County Government, op. cit., p. 214.

21. Robert F. Wilcox, Highways (Vol. VII, Metropolitan Los Angeles: A Study in Integration) (Los Angeles: The Haynes Foundation, 1953), p. 17.

IV. INTERGOVERNMENTAL RELATIONS THROUGH SPECIAL DISTRICTS

1. In 1934, an amendment to the District Act permitted the district to contract with the County Civil Service Commission for personnel work. The Board of Supervisors arranged for a full personnel service program under this contractual arrangement. The flood control district employees, however, are not county employees.

2. Biennial Message of the Governor to the California Legislature, 1923.

3. Cal. Stats. (1921), chap. 749, p. 1292.

4. Cal. Stats. (1929), chap. 766, p. 1505.

5. U. S. Congress, House of Representatives, 76th Congress, 3d Session, "Los Angeles and San Gabriel Rivers and Their Tributaries, and Ballona Creek, Calif.," Document No. 838 (1940), p. 19.

6. Ibid.

7. Cal. Stats. (1945), chap. 1514, p. 2827. See also House of Representatives, 76th Congress, 3d Session, Document No. 838 (1940).

8. U. S. Congress, House of Representatives, 77th Congress, 1st Session, Document No. 426 (1941).

9. County Sanitation Districts of Los Angeles County, Report Upon the Reclamation of Water from Sewage and Industrial Wastes in Los Angeles County, California (April 1949).

10. The County Fair has been held at Pomona for several years.

11. This was known as Parcel B, and excluded ground occupied by the County Museum and the Los Angeles Driving Club.

12. On December 31, 1914, all contracting parties agreed to relieve the district of the obligation.

13. The city agreed to pay $60,500 within six months after construction began, $66,725 within thirty days after completion, $69,500 one year later, $66,500 two years later, and for the next four years would pay $63,500, $60,500, $57,500, and $54,500, respectively.

14. Cal. Stats. (1931), chap. 363, p. 542.

15. Amendments were made November 5, 1934; June 11, 1940; May 24, 1943; and December 28, 1943.

16. Los Angeles County, Ordinance No. 4460.

17. Los Angeles County Air Pollution Control District, Annual Report, 1946-47, p. 1.

18. Cal. Stats. (1947), chap. 632, p. 1640, amended Cal. Stats. (1947), chap. 910, p. 1778.

19. Los Angeles County Air Pollution Control District, Annual Report, 1947-48, p. 2.

V. INTER-CITY RELATIONS

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2. Cal. Stats. (1921), chap. 363, p. 542; amended by Cal. Stats. (1943), chap. 750, p. 2519.

3. See James Trump, James R. Donoghue, and Morton Kroll, Fire Protection (Vol. VI, Metropolitan Los Angeles: A Study in Integration) (Los Angeles: The Haynes Foundation, 1952), p. 148.

VI. EXTRATERRITORIAL POWERS OF CITIES

1. Cal. Stats. (1891), chap. 96, p. 102.
2. Hewitt v. San Jacinto & Perris Valley Irrigation District, 124 Cal. 186, 56 Pac. 893 (1899).
3. City of Pasadena v. Stimson, 91 Cal. 239, 27 Pac. 604 (1891).
4. McBean v. City of Fresno, 112 Cal. 159, 44 Pac. 358 (1896).
5. Cal. Stats. (1909), chap. 397, p. 677.
6. Cal. Stats. (1911), chap. 426, p. 852.
7. Cal. Stats. (1915), chap. 174, p. 345.
8. City of Beverly Hills v. City of Los Angeles, 175 Cal. 311, 165 Pac. 924 (1917).
9. Constitution of the State of California, Art. XI, Sec. 19, amended October 10, 1911.
10. Cal. Stats. (1923), chap. 76, p. 147.
11. Figures quoted from the decision of the court in City of Los Angeles v. City of Huntington Park, 32 Cal. App. 2d 253 (1939).
12. City of Los Angeles v. City of South Gate, 108 Cal. App. 398, 291 Pac. 654 (1930).
13. City of South Gate v. City of Los Angeles, 6 Cal. 2d 593, 58 Pac. 2d 1288 (1936).
14. City of Los Angeles v. City of Huntington Park; City of Los Angeles v. City of South Gate, 32 Cal. App. 2d 253, 89 Pac. 2d 702 (1939).
15. Constitution of the State of California, Art. XI, Sec. 6, as amended in 1896 and 1914. See also John C. Peppin, "Municipal Home Rule in California, 30 California Law Review, 1, 272; 32 C. L. R. 341; 34 C. L. R. 644.
16. City of South Pasadena v. Pasadena Land and Water Co., 152 Cal. 579, 582, 93 Pac. 490 (1908).
17. These rules are to be found now in the Charter of the City of Los Angeles, Art. I, Sec. 2, subdivision 7a, and Art. XXII, Sec. 219. See also Richard W. Bigger and James D. Kitchen, How the Cities Grew (Vol. II, Metropolitan Los Angeles: A Study in Integration) (Los Angeles: The Haynes Foundation, 1952), 165-76.
18. Clark v. City of Los Angeles, 160 Cal. 30, 116 Pac. 722 (1911).
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20. City of Mill Valley v. Saxton, 41 Cal. App. 2d 291, 106 Pac. 2d 455 (1941).
21. Art. XII, Sec. 23 was further amended in 1914.
22. City of Pasadena v. Railroad Commission, 183 Cal. 526, 192 Pac. 25 (1920).
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25. See Winston W. Crouch and Wendell Maccoby, Sanitation Administration in the Los Angeles Metropolitan Area (Studies in Local Government No. 15) (Los Angeles: Bureau of Governmental Research, University of California, 1952), 21-23, 38.
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30. Constitution of the State of California, Art. XIII, Sec. 1, as amended in 1914.

31. Attorney General's Opinion No. NS 2227, January 25, 1940.

32. Attorney General's Opinion No. NS 2227a, February 28, 1940.

33. City of Oakland v. Brock, 8 Cal. 2d 639, 67 Pac. 2d 344 (1937).

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37. 179 Cal. 291, 176 Pac. 449 (1918).

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39. Ibid., 144-46.

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